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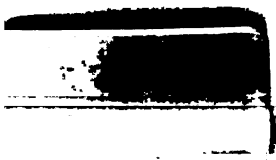
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PENSIONS AND INCREASE OF PENSIONS FOR CERTAIN
SOLDIERS AND SAILORS OF THE CIVIL WAR, ETC.

APRIL 9, 1912.—Committed to the Committee of the Whole House and ordered to be printed.

Mr. SHERWOOD, from the Committee on Invalid Pensions, submitted the following

REPORT.

[To accompany S. 5193.]

The Committee on Invalid Pensions, to whom was referred the bill (S. 5193) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of such soldiers and sailors, have examined the same and adopt the Senate report thereon and recommend that the bill do pass.

[Senate Report No. 343, Sixty-second Congress, second session.]

This bill is a substitute for the following Senate bills referred to said committee:

S. 4. Mary J. Stumpff.
42. Robert M. Reynolds.
156. Ansil Decatur.
157. Hiram Smith.
158. Joseph C. Norris.
196. David H. Burge.
197. James H. Baker.
201. David T. Moneypenny.
204. William R. Jones.
367. Francis Bills.
398. Emma Montgomery.
477. Marcy A. Tyler.
479. James Scott.
482. Nathan Wakefield.
490. William H. Amsbury.
537. Amos T. Phares.
586. David Bishop.
623. Adoniram J. Goff.
638. William A. Sharp.
641. Betsy B. Simons.
643. John W. Watsbaugh.
797. David Caln.
800. John Boler.
810. Bernard F. Morrow.
857. James Y. Kennedy.
858. William E. Brown.
883. Francis Caux.
914. Henry Worthington.
922. Frederick C. Payne.
941. Thomas Reynolds.

S. 946. Robert H. Keller.
948. John M. Perry.
1114. John Goldsmith.
1192. Washington H. Wells
1194. Christian Miller.
1195. Albert C. Jefferson.
1367. William J. Perkins.
1670. Jacob P. Buswell.
1884. George S. Putnam.
1912. William S. Hosack.
1913. William Roberts.
1963. Alfred Greenstreet.
1990. William O. Campbell.
1993. Charles Shabley.
2015. Michael H. Skinner.
2017. Delevan L. Terrill.
2018. Henry M. Willis.
2027. Isaiah Fry.
2089. Abigail J. Fairfield.
2092. John F. Chamberlain.
2093. Charles L. Burgess.
2130. James Smith.
2131. Samuel S. Wilhite.
2138. Edward G. Danforth.
2229. Elizabeth Cleary.
2230. John Stevens.
2328. Abial S. Loomis.
2715. John R. Littell.
2800. Royal Cranston.
2827. Thomas Cogar.

S. 2869. Daniel D. Whitney.
 2884. David D. Barfay.
 2950. Charles L. Tubbs.
 3010. Eli Hoyt.
 3033. William L. Norton.
 3053. Josiah McKirahan.
 3054. Josiah H. Gordon.
 3102. Clark Colvin.
 3103. Emily Fisher.
 3105. George Choron.
 3106. William Starry.
 3183. Samuel Osborne.
 3144. William Boyd.
 3172. Michael Crane.
 3192. William Boyce.
 3298. Jacob Lantz.
 3299. William M. Clark.
 3334. Lucy R. Stokes.
 3415. Reuben P. McCutchan.
 3416. John A. Larimer.
 3448. George Gault.
 3457. Hiram Souders.
 3477. William Simpson.
 3486. Solon Peterson.
 3496. Aaron Hemingway.
 3497. Monroe D. Whitman.
 3498. Robert Thom.
 3504. Amos L. Burdick.
 3623. Josiah Wood.
 3676. Manlius Holbrook.
 3677. John A. McFeeters.
 3689. Edwin Underhill.
 3706. James L. Lane.
 3708. Sylvester Abbott.

S. 3718. William E. Flesher.
 3746. Christopher Miller.
 3792. William A. Pierce.
 3793. Levi J. Silverthorn.
 3822. Allison Olinger.
 3836. Theresia Meyer.
 3922. John G. Ward.
 3933. James Gosnel.
 3934. Ephraim Hensley.
 3957. Maria Hinchcliff.
 4117. Thomas Kehoe.
 4154. Robert G. Sleater.
 4156. William A. Clovis.
 4188. William H. Steel.
 4225. Enoch Adkins.
 4261. William H. Layfield.
 4292. William E. Clarke.
 4343. William Hodge.
 4344. Julius Cohn.
 4426. Isaac Cutright.
 4429. Lewis H. Ewart.
 4469. John W. Whipple.
 4580. Harriet B. Nichols.
 4592. Mattie H. Miner.
 4608. Margaret W. Ide.
 4610. George W. Harlow.
 4650. William H. Hall.
 4657. Nancy A. Searls.
 4671. Roswell Bradley.
 4771. Dennis Morean.
 4775. Mary E. Seaton.
 4785. William A. Willis.
 4909. John Burton.

The following are the facts ascertained by the committee concerning the case of each beneficiary in said bills and the conclusions of the committee as to the proper amount of pension or increase which should be granted:

S. 4. Mary J. Stumpff is the widow of William G. Stumpff, late private, Company F, Sixth Regiment Kentucky Volunteer Cavalry, who enlisted July 15, 1862, and who died a prisoner of war, at Richmond, Va., September 25, 1864, leaving the claimant with three minor children surviving him.

The claimant was married to the soldier January 28, 1858, and is now 73 years of age. She is receiving a general-law pension of \$12 per month, which is the highest rate she can obtain from the Pension Bureau. Testimony filed with this committee shows that Mrs. Stumpff is entirely incapacitated for any kind of work or business. She is crippled by injury sustained several years ago, and is practically helpless and can not walk without the aid of crutches. She can do nothing for her support, and has no means except her little pension and the small sum of \$24 per year received as rent from a little piece of property. In view of the widow's advanced age, helplessness, and poverty, and in consideration of the fact that she is a war widow, your committee are of opinion that she should have increase of her pension to \$20 per month.

S. 42. Robert M. Reynolds was a private in Company C, First Regiment Indiana Volunteer Heavy Artillery. He enlisted March

31, 1864, and was honorably discharged January 10, 1866, having served nearly two years. He never applied for pension under the general law, but established a claim under the act of June 27, 1890, and is now pensioned under said act at the rate of \$12 per month.

This claimant is over 68 years of age. He has not been examined by bureau surgeons since December, 1891, but medical and other evidence filed with this committee shows that he is suffering from deafness, heart disease, and general debility, and a physician and several neighbors testify that he is unable to perform manual labor of any kind. It is further shown that he has no property except a small amount of household goods and has no income except his pension. In such cases your committee usually grant substantial relief by doubling the pension, and increase to \$24 is therefore recommended.

S. 156. Ansil Decatur, the claimant, served from September 6, 1864, to May 22, 1865, as a private in Company C, Ninth Regiment New York Volunteer Cavalry. He also served from January 15, 1862, to August 19, 1862, as a private in Company L, Third Regiment Rhode Island Volunteer Heavy Artillery. He was honorably discharged from both services.

He is a pensioner at \$20 per month under the service act of February 6, 1907. He was formerly pensioned at \$12 per month under the act of June 27, 1890, granted him on account of total inability to earn a support by manual labor.

This claimant is an old veteran of over 80 years of age. He is generally broken down from hernia, injury of back, and other infirmities incident to advancing years, and is wholly unable to perform manual labor. There is good testimony on file to show that he is totally disabled for any kind of work, and that he is without property or means and entirely dependent upon his pension for support. His neighbors petition generally in his behalf, and your committee are of opinion that increase of pension to \$30 per month, as proposed in the bill, is warranted.

S. 157. Hiram Smith, of Boise, Idaho, served during the Civil War as a private in Company A, One hundred and forty-ninth Regiment Pennsylvania Volunteer Infantry. He enlisted August 17, 1863, and was honorably discharged at the close of the war, June 24, 1865. He is a pensioner at \$20 per month under the service act of February 6, 1907. He was formerly pensioned under the act of June 27, 1890, at \$12 per month, granted him for total inability to earn a support by manual labor. He applied under the general law March 28, 1889, alleging rheumatism, chronic diarrhea, and piles, but his application was rejected in October, 1901, for the reason that he could not prove his disabilities to be due to his military service.

The claimant is an old man of 76 years of age. His last medical examination, taken April 13, 1904, showed that he suffered from rheumatism, disease of heart, chronic diarrhea, disease of rectum, and senile debility, and was wholly unable to perform manual labor. Medical evidence filed with this committee shows that soldier is suffering from rheumatism, chronic diarrhea, enlarged prostate, and other infirmities of age, and is totally disabled and in need of care and assistance. It is also shown that he is destitute of property and

entirely dependent upon his pension for support. On account of his advanced age, poverty, and total disability, your committee are of opinion he should have increase of pension to \$30, as proposed in the bill.

S. 158. Joseph C. Norris, of Boise, Idaho, was a private in Company E, Seventy-first Regiment Illinois Volunteer Infantry. He served from June 30, 1862, to October 29, 1862, and was honorably discharged. He is a pensioner at \$15 per month under the service act of February 6, 1907. He was formerly pensioned under the act of June 27, 1890, at \$12 per month for disease of liver and digestive organs, nasal catarrh, and nearly total deafness of left ear.

The claimant is now in the seventy-fifth year of his age. Evidence filed with this committee shows that he is afflicted with disease of heart, stomach, and kidneys, deafness, enlarged prostate, and other infirmities of old age, and physicians and neighbors testify that he is totally disabled and unable to perform manual labor. It is further shown that he is poor and without means of support except his pension. On account of his advanced age, poverty, and total disability, your committee recommend increase of pension to \$20 per month. His service was comparatively short and no higher rate is warranted.

S. 196. David H. Burge served as a private and corporal in Company I, Thirtieth Kentucky Volunteer Cavalry, from September 15, 1863, to January 10, 1865, when honorably discharged. He was originally granted pension under the general law at \$6 per month, from April 29, 1887, for disease of right eye, admitted to have been of service origin. He was subsequently allowed \$12 per month under the act of June 27, 1890, for total inability to earn a support by manual labor, and is now receiving \$15 per month under the service act of February 6, 1907. His claim for further allowance under the act of February 6, 1907, was rejected for the reason that he could not prove he was 75 years of age.

The best evidence on file shows claimant to be about 73 years of age. It further appears that he is blind in right eye and almost blind in left eye from senile cataracts, and that he is suffering from chronic diarrhea, rheumatism, partial deafness, and other infirmities incident to old age, and is no longer able to perform manual labor. A physician and two neighbors testify that claimant is totally disabled; and it is also in evidence that he is poor, with no property other than a small piece of land worth about \$200, and without income except his pension. On account of soldier's advanced age, total disability, and poverty, your committee recommend increase of pension to \$24 per month.

S. 197. James H. Baker, of Mount Vernon, Ky., was a private in Company G, Fourteenth Kentucky Volunteer Cavalry, serving from January 3, 1863, to March 24, 1864, when honorably discharged.

He is a pensioner under the service act of February 6, 1907, at the rate of \$15 per month. He never filed a claim under the general law, but formerly drew \$8 per month under the act of June 27, 1890.

Claimant is now nearly 72 years of age. He has not been examined by bureau surgeons since February 9, 1898, when he was rated \$8 for chronic diarrhea, and \$8 for rheumatism. Medical evidence accompanying the bill shows that soldier is afflicted with

chronic diarrhea, chronic rheumatism, disease of bladder, with enlarged prostate, and is totally disabled for manual labor. Neighbors testify that claimant is entirely incapacitated for labor, and that he has no property or other means, and has an invalid wife and daughter dependent upon him for support. On account of soldier's advanced age, poverty, and inability to earn a support by his own manual labor, your committee recommend increase of pension to \$24 per month.

S. 201. David T. Moneypenny served during the Civil War as a corporal and sergeant in Company K, Fifth Kentucky Volunteer Infantry, from July 1, 1861, to June 6, 1863, when he was discharged on surgeon's certificate on account of "gunshot wound, ball entering just below hip joint on the outer side, emerging from the inner side, resulting in loss of use of leg and foot"; wounded in battle at Murfreesboro, Tenn., January 1, 1863. He is on the pension roll under the general law at \$30 per month, his pensioned disability being described as "Gunshot wound of right thigh and resulting atrophy and partial paralysis of leg and foot." He was originally pensioned at \$5.33 per month from the date of discharge; subsequently this was increased to \$8, then to \$16, \$24, and finally to \$30. His application for further increase was rejected June 28, 1904.

The medical examining board at Munfordville, Ky., under date of June 1, 1904, reported claimant's disability as follows:

Gunshot wound of right thigh. The ball entering the upper third of the thigh, outer part cut through the muscles, came out 1 inch lower on the inside of thigh. Cut the sciatic nerve. Scars are large and very rough. Right thigh measures 17 inches; calf right leg measured 12½ inches. Left thigh measures 18 inches; calf left leg measures 14 inches. No loss of bone; no loss of soft tissue except what the ball destroyed; no deformity; nutrition and circulation below the knee is poor; the leg and foot are very cold. The foot is two numbers less than left foot; can not work or move the toes on the right foot. Can not move foot in the ankle joint. Has complete motor paralysis of right foot and ankle, and partial sensory paralysis of foot and ankle. Power and sensation are impaired 65 per cent of foot and leg. Right hip joint normal; right knee joint somewhat smaller than left; motion fairly good; motion of ankle totally impaired and 1 inch smaller than left. Claimant requires a cane.

A medical examining board at Elizabethtown, Ky., under date of January 13, 1892, gave it as their opinion that claimant's right leg was of no practical use, and that claimant would perhaps be in a better condition with a good cork leg in its stead.

Considerable evidence is filed with this committee to show that claimant is badly crippled from his wound, and is physically unable to make a living from manual labor, and has no other employment. Several physicians testify that claimant uses his right foot as one would an artificial foot in walking. He is 72 years of age, without income except his pension, and has a sick and invalid wife dependent upon him for support. It seems that his disability is greater than that for which the general-law rating of \$30 per month is provided, and your committee recommend increase to \$40 per month; he does not come within the helpless class, and no higher rate is warranted by special act.

S. 204. William R. Jones, the claimant, was a corporal in Company G, Eleventh Indiana Volunteer Cavalry. He enlisted December 30, 1863, and was discharged June 1, 1865, on surgeon's certificate of disability on account of chronic diarrhea. He established a claim under

the general law and is pensioned at \$17 per month for rheumatism and resulting disease of heart and chronic diarrhea and resulting disease of rectum. Claims for increase were rejected May 3, 1906, and January 27, 1910.

When this claimant was last medically examined, January 5, 1910, he was rated \$24 for disease of heart and rectum, the examining surgeons reporting that he was disabled for manual labor in a degree equivalent to the loss of a hand or foot. Another board of surgeons, in April, 1904, rated him \$12 for rheumatism and resulting disease of heart, \$6 for disease of lungs, \$4 for catarrh, and \$24 for chronic diarrhea and resulting disease of rectum. Medical and other evidence filed with this committee is to the effect that claimant is in poor health from rheumatism, chronic diarrhea, and heart trouble, and is totally disabled for manual labor. He is 71 years of age, poor and needy, and without property or means of support except his pension. In view of soldier's advanced age, poverty, and inability to earn a support by manual labor, largely due to causes of service origin, your committee are of opinion he should have increase of pension to \$30 per month.

S. 367. Francis Bills served during the Civil War as a private in Companies B, H, and G, Fifty-fourth Regiment Pennsylvania Volunteer Infantry. He was a good soldier and has a good record, having enlisted September 17, 1861, and being honorably discharged July 15, 1865. He is a pensioner at \$12 per month under the service act of February 6, 1907. He was formerly pensioned at \$8 per month under the act of June 27, 1890. His claim under the general law, filed June 11, 1879, was rejected in January, 1886, for the reason that he could not furnish evidence to prove service origin of alleged disability, injury of chest and right knee.

The claimant is upward of 67 years of age. He has not been examined by bureau surgeons for several years, but evidence filed with this committee shows that he suffers from chronic irritation of spine, chronic constipation, bladder trouble, enlarged prostate, eye trouble, vertigo, and other infirmities incident to advancing years, and a physician and two neighbors testify that he is totally disabled for making a living by manual labor. It also appears that he is needy and dependent upon his pension for support of himself and aged wife. Acting in this case as we have in similar cases, your committee recommend increase of pension to \$24 per month.

S. 398. Emma Montgomery is the widow of Harry Montgomery, late private and musician Eleventh Regiment Band, United States Infantry. Claimant's husband enlisted in the Regular Army September 2, 1864, and was in service almost continuously until March 30, 1883, when he was finally and honorably discharged. He applied for and was granted pension under the act of June 27, 1890, at \$6 per month from November 11, 1902, which was increased to \$8 from March 22, 1904, and finally to \$12 from March 17, 1905. He died June 26, 1905.

The widow now receives the pension of \$12 per month provided for by the act of April 19, 1908. She formerly received \$8 per month under the act of June 27, 1890. She was married to the soldier March 8, 1865, and is 80 years of age.

Evidence filed with this committee shows that claimant is very feeble and in poor general health, her condition being such that she is utterly unable to do anything by which she might earn a living and is entirely dependent for her support upon her small pension and the charitable aid given her by her neighbors. In view of the foregoing facts the committee are of opinion that her pension should be increased to \$20 per month.

S. 477. Marcy A. Tyler, of Newton, Kans., is the widow of Edgar L. Tyler, late private in Company H, Twenty-third Regiment Michigan Volunteer Infantry, and Company I, Fifth Regiment Veteran Reserve Corps. Claimant's husband enlisted August 9, 1862, and was honorably discharged July 5, 1865, having served three years. He filed and established a claim under the general law and was pensioned at \$8 per month for disease of lungs and mouth and loss of teeth, admitted to have been of service origin. He died of cerebral hemorrhage February 16, 1898.

Claimant was married to soldier December 21, 1856, several years before the war. The pension she draws is \$12 per month under the act of April 19, 1908. She formerly drew \$8 per month under the act of June 27, 1890. It appears, however, from the evidence filed with this committee that the widow is 80 years old, practically helpless and unable to get about, and requires the personal attention of another person. She is under medical treatment all the time and has no property or means of support except her small pension. In view of the claimant's helplessness and poverty and in consideration of the fact that she is a war widow, the committee recommend that her pension be increased to \$20 per month.

S. 479. James Scott, the claimant, was a private and sergeant in Company A, First Regiment Iowa Volunteer Cavalry. He was a good soldier and has a first-class record. He enlisted July 29, 1861, and was continuously in service until February 15, 1866, when honorably discharged and mustered out.

He is a pensioner at \$15 per month under the service act of February 6, 1907. He was formerly pensioned at \$12 per month under the act of June 27, 1890, for total disability, the result of gunshot wound of face and paralysis agitans. He was wounded in face at Silver Creek, Mo., January 8, 1862, and was originally granted pension under the general law at \$3 per month from discharge, which was increased to \$5 from January 20, 1876: to \$6 from January 11, 1888, and finally to \$8 from September 11, 1889. The claimant is 74 years of age. That he is totally disabled and wholly unable to perform manual labor clearly appears from the papers on file in his case. He is afflicted with disease of stomach, rheumatism, heart disease, and paralysis agitans to such a degree that he is unable to care for himself. The certificate of his last medical examination, taken as long ago as October 24, 1900, showed that he required assistance from another person, and medical and other affidavits to the same effect are filed with this committee. He is also shown to be destitute and entirely dependent upon his pension for support. In view of soldier's advanced age, his long-continued and honorable service, his grievous physical condition, and extreme poverty, your committee are of opinion that increase of his pension to \$30 per month, as proposed in the bill, is just and proper.

S. 482. Nathan Wakefield, of La Crosse, Kans., was a private in Company H, Thirteenth Regiment, and Company I, Sixth Regiment, New York Volunteer Heavy Artillery. He served from December 21, 1863, to August 24, 1865, and was honorably discharged. He never filed a claim under the general law, but established one under the act of June 27, 1890, and is now pensioned under said act at the rate of \$12 per month.

Claimant is 68 years of age. He has not been examined by bureau surgeons for many years, but medical evidence filed with this committee shows that he is broken down from rheumatism, heart disease, and disease of kidneys and bladder, and is totally disabled for performing manual labor. It is also shown that he is a poor man, without property except a small home, worth about \$1,000, and with no means of support for himself and wife other than his small pension. In such cases your committee usually grant substantial relief by doubling the pension, and increase to \$24 is therefore recommended.

S. 490. William H. Amsbury, the claimant, was born December 20, 1818, and hence is 93 years of age. He served during the Civil War as a private in Company A, First Kentucky Volunteer Infantry, from July 6, 1861, to June 30, 1862, when he was discharged for physical disability. He again enlisted November 3, 1864, as a private in Company A, Sixtieth Ohio Volunteer Infantry, and was discharged July 28, 1865, by reason of the close of the war.

He is a pensioner under the service act of February 6, 1907, at the rate of \$20 per month, which is the highest allowance he can obtain from the bureau. He was formerly pensioned under the act of June 27, 1890, at \$12 per month for total inability to earn a support by manual labor.

The papers on file in his case show that claimant is invalid and feeble, suffering injury of right hip and knee, rheumatism, heart disease, and other infirmities of extreme old age, and is wholly unable to do manual labor or to earn his support. It is also shown that he is poor and without property or income aside from his pension. On account of soldier's age, poverty, and total disability, your committee are of opinion he should have increase of pension to \$30 per month, as proposed in the bill.

S. 537. Amos T. Phares was a private in Company B, Seventieth Regiment Indiana Volunteer Infantry. He enlisted July 26, 1862, and was honorably discharged for physical disability January 15, 1864. He is a pensioner at \$20 per month under the service act of February 6, 1907. He was formerly pensioned at \$12 per month under the act of June 27, 1890, for total inability to earn a support by manual labor.

The claimant is an old man of 78 years of age. Testimony on file in his case shows that he is completely broken down, unable to labor, and in needy circumstances. He is afflicted with chronic diarrhea, varicose veins, vertigo, and other infirmities incident to old age, and a physician and several neighbors testify that he is totally disabled and requires some one to care for him. It is also in evidence that he is poor and practically dependent upon his pension for the support of himself and wife. On account of soldier's advanced age, poverty,

and total disability, your committee recommend increase of pension to \$30 per month.

S. 586. David Bishop was a private in Company A, First West Virginia Volunteer Cavalry. He enlisted March 20, 1862, and was honorably discharged March 27, 1865. The medical records of the War Department show him to have been treated in the service for diarrhea and rheumatism. He established a claim under the general law for rheumatism and was pensioned therefor at \$4 per month from April 9, 1888, which was increased to \$6 from January 14, 1891. He is now pensioned at the maximum rate of \$12 per month under the act of June 27, 1890, for rheumatism and disease of respiratory organs.

The claimant is now 68 years old. Testimony on file in the bureau and with this committee shows that he suffers from rheumatism, heart disease, and disease of respiratory organs, and is generally broken down from old age and its attendant infirmities and is practically unable to perform manual labor for the support of himself and wife. It is further shown that he is poor and needy, with no property other than a small home, worth but a few hundred dollars, and with no means for his support. It is proper to give this soldier increase of pension to \$24 per month on account of his advanced age, poverty, and inability to earn a support by his own manual labor.

S. 623. Adoniram J. Goff was a private in Company E, One hundredth Regiment Illinois Volunteer Infantry. He served from August 14, 1862, to June 8, 1865, and was honorably discharged. He is now in receipt of a pension under the service act of February 6, 1907, at the rate of \$20 per month. He was formerly pensioned at \$12 per month under the act of June 27, 1890, for total inability to earn a support by manual labor. His allowance under the general law was at \$6 per month from November 23, 1888, for chronic diarrhea, admitted to have been of service origin.

This claimant is an old man of over 78 years of age. It is shown by the evidence on file in his case and the proof submitted to the committee that he is broken down from hernia of left side, rheumatism, chronic diarrhea, piles, partial deafness, and other infirmities incident to old age and is wholly unable to earn a support by manual labor. It is also shown that he is very poor and without property or income except the pension he receives from the Government. In view of soldier's advanced age, his honorable service of nearly three years, his poverty, and total disability for manual labor, the committee recommend increase of pension to \$30 per month.

S. 638. William A. Sharp, of Florence, Colo., served in the Civil War as a private in Company H, Third Regiment Illinois Volunteer Cavalry. He enlisted February 28, 1865, and was honorably discharged October 10, 1865. He filed and established a claim under the act of June 27, 1890, and is now pensioned under said act at \$12 per month for total inability to earn a support by manual labor, the result of varicose veins of both legs. He never filed a claim under the general law, his disabilities not being traceable to the military service.

This claimant is now 69 years of age. He has not been examined by bureau surgeons in many years, but evidence filed with this com-

mittee shows that he suffers from heart disease, varicose veins of both legs, enlarged prostate, and other infirmities of age, and a physician and several neighbors testify that he is totally disabled for performing manual labor. It further appears that he is very poor, with no property except a small home worth but a few hundred dollars, and without means of support for himself and family aside from his pension. An increase of soldier's pension to \$24 per month is recommended on the ground of his present condition; it is not shown as due to his Army service, which was less than one year, and no greater increase is warranted.

S. 641. Betsy B. Simons, of Alamosa, Colo., is the widow of Joseph R. Simons, who served from September 12, 1862, to July 13, 1863, as a private in Company H, Eleventh Rhode Island Volunteer Infantry. He also served from May 26, 1862, to September 1, 1862, as a private in Company F, Tenth Rhode Island Volunteer Infantry. He was honorably discharged from both services. He died September 6, 1897.

Claimant was married to the soldier September 14, 1862. She was granted pension under the act of June 27, 1890, at \$8 per month from April 9, 1898. The pension she now draws is \$12 per month under the act of April 19, 1908. It appears, however, from evidence filed with this committee that claimant is almost totally blind, the following being the report of her physician:

Said Betsy B. Simons is totally blind in the right eye, and almost totally blind in the left eye; that she requires the constant attendance of some person to be with her at all times on account of her defective eyesight; that she could not distinguish a person 3 or 4 feet away; that she is not in a physical condition on account of such defective eyesight to earn her living or to do sufficient work to help to any extent to earn her living.

Testimony of neighbors is also filed to show that claimant is almost totally blind and requires the aid and attendance of other persons. She is entirely dependent upon her pension for support, having no property or other source of income. She is about 69 years of age. On account of claimant's helplessness and poverty and in consideration of the fact that she is a war widow, the committee recommend increase of pension to \$20 per month.

S. 643. John W. Watsbaugh, of Florence, Colo., was a private in Company G, Seventy-third Regiment Illinois Volunteer Infantry. He enlisted July 5, 1862, and served until the close of the war, being honorably discharged June 12, 1865. He never filed a claim under the general law, but established one under the act of June 27, 1890, and is now pensioned under said act at \$12 per month, granted him for total inability to earn a support by manual labor.

This claimant is shown to be 65 years of age, unable to labor, and very poor. He suffers from injury of left arm, rheumatism, and disease of heart and stomach, and his total disability is shown by the report of his last medical examination, taken February 3, 1909, and by medical and other affidavits filed with this committee. The fact that he was allowed the maximum rate under the act of June 27, 1890, shows that he is wholly unable to earn a support by manual labor. He is further shown to be without means of support except his pension. On account of soldier's age, poverty, good record, and

inability to earn a support by his own manual labor, the committee recommend increase of pension to \$24 per month.

S. 797. David Cain was a private in Company D, Sixth Regiment West Virginia Volunteer Infantry. He enlisted August 27, 1861, and was honorably discharged June 10, 1865, havng served nearly four years. He applied for pension under the general law June 19, 1888, alleging rheumatism, piles, and disease of eyes, but his application was rejected March 23, 1898, on the ground of no record or other satisfactory evidence to prove service origin and continuance from date of discharge. He filed a claim under the act of June 27, 1890, established the same, and is now pensioned under said act at the rate of \$12 per month.

Claimant is now 69 years of age. He has not been examined by bureau surgeons in many years, but evidence filed with this committee shows that he is afflicted with catarrh and resulting partial deafness, rheumatism, disease of heart and nervous debility, and a physician and two neighbors testify that he is totally disabled and wholly unable to perform manual labor. He is also shown to be poor and needy, and entirely dependent upon his pension for the support of himself and invalid wife. In such cases your committee usually grant substantial relief by doubling the pension, and increase to \$24 is therefore recommended.

S. 800. John Boler was a private in Company N, Sixth Regiment West Virginia Volunteer Infantry. He enlisted September 25, 1861, and was honorably discharged June 10, 1865, having served nearly four years. He is at present in receipt of a pension under the service act of February 6, 1907, at the rate of \$15 per month. He was formerly pensioned at \$12 per month under the act of June 27, 1890. His claim under the general law for disease of stomach, lungs, and throat filed June 9, 1886, he has been unable to prove and has long since abandoned.

The claimant is about 72 years of age. He has not been examined by bureau surgeons in many years, but evidence filed with this committee shows that he is afflicted with disease of respiratory organs, piles, double varicocele, and other infirmities of old age, and a physician and two neighbors testify that he is totally disabled for manual labor. It further appears that he is very poor, being dependent upon his pension for the support of himself and wife. It is proper in this case to give soldier a reasonable increase of pension, and \$24 per month is recommended.

S. 810. Bernard F. Morrow, the claimant, was a private in Company F, Twelfth Regiment West Virginia Volunteer Infantry. He enlisted August 15, 1862, and served until the close of the war, being honorably discharged June 16, 1865. He was wounded in left leg in action at Winchester, Va., July 23, 1864, and was originally granted pension under the general law at \$4 per month from March 28, 1887. He is now pensioned under the act of June 27, 1890, at \$12 per month for gunshot wound of left leg and disease of liver. Claim for renewal and increase under the general law filed April 23, 1908, was adjudicated in July, 1908, at \$8 per month for gunshot wound of left leg, but no certificate was issued, inasmuch as claimant was then receiving a higher rate under the act of June 27, 1890.

When claimant was last medically examined July 1, 1908, he was rated \$16 for gunshot wound of left leg and was also reported as suffering from disease of heart and mental paresis. Another board of surgeons, before whom he was examined November 20, 1907, rated him \$14 for gunshot wound of left leg and \$6 for disease of liver. Dr. C. W. Riggs testifies in affidavit filed with this committee that soldier is suffering from a general nervous condition in form of paresis, or a lateral sclerosis, exaggerated knee jerk, and weakness, especially of lower extremities; that he has hypochondriachal laugh, has prostatitis and marked intermittent heart action and is nervous in the extreme; that he is in such physical condition that to even work again is impossible, and that he is 68 years of age, but looks to be 78 to 80 years old on account of his abnormal nervous condition. Dr. W. G. C. Hill also testifies that soldier is suffering from a general nervous condition which disables him from performing any kind of work and will continue to be disabled for the rest of his life. It further appears that soldier is poor and needy, having only a small amount of property and being almost entirely dependent upon his pension for support. In view of soldier's advanced age, his honorable and faithful service of nearly three years, his grievous physical condition and necessitous circumstances, your committee are of opinion he should have increase of pension to \$30 per month as proposed in the bill.

S. 857. James Y. Kennedy, of Stuart, Iowa, was a private in Company I, Seventy-seventh Regiment New York Volunteer Infantry. He served from October 1, 1861, to January 5, 1863, when discharged on surgeon's certificate of disability on account of curvature of spine. He is a pensioner under the service act of February 6, 1907, at the rate of \$12 per month. He never applied under the general law, but formerly received \$10 per month under the act of June 27, 1890.

The claimant is nearly 69 years of age. It appears from the report of his last medical examination, taken March 4, 1903, that he suffered from rheumatism, disease of heart, and general debility and was practically unable to perform manual labor. Medical evidence filed with this committee shows that claimant is broken down from heart disease, stomach and intestinal trouble, and old age and is no longer able to perform manual labor for his support. It is also shown that he is poor and without property except a small home, worth about \$500, and with no income except his pension. On account of soldier's age, poverty, and inability to earn a support by manual labor, your committee recommend increase of pension to \$24 per month.

S. 858. William E. Brown served as a private in Company E, Third Regiment Iowa Volunteer Cavalry. He enlisted August 17, 1861, and was discharged March 29, 1863, on surgeon's certificate of disability on account of "general debility consequent on phthisis pulmonalis and chronic diarrhea." He established a claim for pension under the general law for chronic diarrhea and resulting piles and catarrh and is pensioned therefor at \$30 per month. He applied for increase April 23, 1909, but his application was rejected June 1, 1909, on the ground that his present disabled condition was due in part to other than pensioned causes.

The soldier is an old man of 75 years of age. When last examined, May 11, 1909, he was shown to be so disabled from pensioned disabilities and old age as to require the regular personal aid and attendance of another person. The examining surgeon said:

This soldier is extremely weak and emaciated, can scarcely arise from a chair by the assistance of two canes, and then only by several attempts; at times loses his balance easily, and fully requires the assistance of wife and dependent son to get up. Either his wife or son has to be near at hand all the time to aid and assist him in dressing and undressing, washing him, assisting him in attending to calls of nature, bringing him a drink of water. Soldier seems to be thoroughly exhausted on the least effort to help himself.

Evidence of a physician and neighbors filed with this committee shows that soldier is totally disabled and requires an attendant all the time. It also appears that he is poor and needy and deserving of relief. His unfortunate condition strongly appeals to your committee and it seems proper to give him increase of pension to \$50 per month, as proposed in the bill, a large measure of his disability being due to his military service.

S. 883. Francis Caux, of Monroe, Mich., was a private in Company M, Third Regiment Indiana Volunteer Cavalry. He enlisted October 22, 1862, and served until the close of the war, being honorably discharged May 13, 1865. He was wounded in left hip in action near Powder Springs, Ga., October 7, 1864, and was originally pensioned therefor under the general law at \$4 per month from discharge, which rate was increased to \$6 from May 4, 1887, and finally to \$8 from July 16, 1888.

He is now pensioned at \$12 per month under the service act of February 6, 1907.

The claimant is about 67 years of age. He has not been examined by bureau surgeons since January 26, 1898, when he was rated \$8 for gun-shot wound, \$10 for disease of heart, \$4 for injury of right foot, \$2 for varicocele, and \$2 for disease of eyes. The examining surgeons then reported that claimant's combined disabilities were at least equal to the loss of a hand or foot. Papers accompanying the bill show that claimant has been a constant sufferer from wound received in service, and three years ago had the misfortune to lose his right hand, and five years ago lost his right eye. It also appears that he is poor and needy and without means for his support. He was a good soldier and is reputed to be a good citizen. His neighbors petition generally in his behalf, and your committee recommend increase of pension to \$30 per month.

S. 914. Henry Worthington was a private in Company B, Twenty-sixth Regiment Connecticut Volunteer Infantry. He served from August 30, 1862, to August 17, 1863, and was honorably discharged. He established a claim under the general law, and is pensioned at \$17 per month for chronic diarrhea, malarial poisoning, and resulting piles and disease of heart, admitted to have been of service origin. He was first pensioned at \$4 per month from discharge, increased to \$8 from July 2, 1884, to \$10 from December 14, 1887, and finally to \$17 from August 31, 1907.

When this claimant was last examined, August 31, 1907, he was rated at \$17 for piles and \$10 for disease of heart. He was also reported to be suffering from loss of part of two fingers of right

hand, and double inguinal hernia, and to be practically unable to perform manual labor. Medical evidence filed with this committee shows that claimant is suffering from double hernia, prolapsus of rectum, heart trouble, and chronic diarrhea, and is totally disabled for manual labor of any kind. Neighbors testify that claimant is unable to labor, and it is shown that he is over 70 years of age and without property or means of support except his pension. Acting in this case as we have in similar cases, your committee recommend increase of pension to \$30 per month.

S. 922. Frederick C. Payne was a private in Company D, Twelfth Regiment Connecticut Volunteer Infantry. He was a good soldier and has a good record, having enlisted December 17, 1861, and being honorably discharged August 12, 1865. He was originally pensioned Company I, Thirty-fourth Kentucky Volunteer Infantry. The rec-sunstroke, at \$4 per month from April 22, 1884, which rate was increased to \$8 from October 24, 1888. He is now pensioned at \$12 per month under the service act of February 6, 1907.

Testimony filed with this committee shows that claimant has suffered for many years from malaria and rheumatism; that he has organic heart disease, with kidney trouble, and is unable to do but little manual labor. A physician and two neighbors testify that claimant is practically unable to perform manual labor, and it is further shown that he is about 68 years of age and in straitened circumstances, having but little property and being without means of support. On account of his advanced age, necessitous circumstances, and good record, your committee recommend increase of pension to \$24 per month.

S. 941. Thomas Reynolds, of Fort Dodge, Kans., was a private in Company I, Thirty-fourth Kentucky Volunteer Infantry. The record evidence shows that he enlisted August 20, 1862, and that he served nearly three years to date of muster out, June 24, 1865. He filed and established a claim under the act of June 27, 1890, and is now pensioned under said act at the rate of \$12 per month. He never applied under the general law.

Soldier is upward of 67 years of age. He has not been examined by bureau surgeons since August, 1891, but medical evidence filed with this committee is conclusive as to his total disability for manual labor. Dr. E. D. F. Phillips, of Fort Dodge, Kans., testifies that soldier is suffering from heart disease, asthma, and general debility; that there is general weakness and inability to exercise, so that soldier is unable to leave his room, and that he is totally disabled and requires the care and attention of another person. Dr. V. V. Adamson testifies that soldier has disease of heart, resulting in cardiac asthma, and that he suffers from general debility and is incapacitated for the performance of labor of any kind. Evidence on file in the Pension Bureau shows that soldier is financially poor and without income except his pension. In view of soldier's advanced age, his long-continued and honorable service, his total disability and extreme poverty, your committee are of opinion he should have increase of pension to \$30 per month, as proposed in the bill.

S. 946. Robert H. Keller was a private in Company B, Eighth Indiana Volunteer Cavalry. He enlisted August 29, 1861, and was

discharged June 23, 1862, on surgeon's certificate of disability on account of chronic diarrhea. He is a pensioner under the service act of February 6, 1907, at the rate of \$20 per month. He was formerly pensioned at \$8 per month under the general law for chronic diarrhea and resulting piles, and later at \$12 per month under the act of June 27, 1890, for total inability to earn a support by manual labor.

This claimant is upward of 80 years old. The testimony on file in his case, including reports of bureau surgeons, shows that he is afflicted with chronic diarrhea, rheumatism, heart disease, failing sight, and other infirmities of old age and is generally broken down, wholly unable to perform manual labor, or to do anything toward earning a support. It is also shown that he is in destitute circumstances, being entirely dependent upon his pension for support. It is proper to give this old soldier a reasonable increase of pension, and \$30 per month is recommended.

S. 948. John M. Perry enlisted November 26, 1861, as a private in Company D, Sixth Ohio Volunteer Cavalry, and was discharged April 8, 1862, on surgeon's certificate of disability on account of valvular disease of heart. He again enlisted May 2, 1864, as a private in Company E, One hundred and sixty-eighth Ohio National Guard Infantry, and was honorably mustered out September 8, 1864.

He is a pensioner under the service act of February 6, 1907, at the rate of \$20 per month. He was formerly pensioned under the act of June 27, 1890, at \$12 per month for total inability to earn a support by manual labor. His application under the general law on account of rheumatism, neuralgia, and general debility, filed January 30, 1885, he has been unable to prove and has long since abandoned.

The claimant is an old man of over 75 years of age. The testimony on file in his case shows that he suffers from rheumatism, indigestion, bladder trouble, and other infirmities of age and is wholly unable to perform manual labor. It also appears that he is poor and needy and without property or means of support for himself and wife other than his pension. On account of soldier's advanced age, poverty, and inability to earn a support by manual labor, the committee recommend increase of pension to \$24 per month; his service was less than one year and no greater increase is warranted.

S. 1114. John Goldsmith, the applicant, was a private in Company C, Fifty-third Regiment Kentucky Volunteer Infantry. He served from September 15, 1864, to September 15, 1865, and was honorably discharged. He established a claim under the general law and is pensioned at \$30 per month for rheumatism and resulting disease of heart, admitted to have been of service origin.

The board of surgeons before whom claimant was last examined, November 21, 1906, rated him \$24 for rheumatism, \$6 for heart disease, and \$4 for disease of lungs. Evidence filed with this committee shows that in addition to pensioned disabilities he suffers from almost total blindness, so much so that he can not distinguish objects or recognize persons across the room. A physician and two neighbors testify that claimant requires frequent and periodical aid and attendance of other persons in caring for him in such acts as dressing, undressing, feeding, and attending to calls of nature. He is 75 years of age and is shown to be without property or means, and to

be entirely dependent upon his pension for support. It is believed that his condition is such that increase to \$40 is warranted, part of his disability being due to the military service. If he is helpless, or should become so by reason of his pensioned disabilities, his further application should be made to the bureau.

S. 1192. Washington H. Wells was a private in Company F, Sixteenth Regiment Wisconsin Volunteer Infantry. He enlisted February 26, 1864, and served until the close of the war, being honorably discharged July 12, 1865. He is in receipt of a pension under the service act of February 6, 1907, at the rate of \$15 per month. He never filed a claim under the general law, but formerly drew \$10 per month under the act of June 27, 1890.

Claimant is now 70 years of age. It appears from the report of his last medical examination, taken November 1, 1905, that he suffered from disease of heart, enlarged prostate, and disease of eyes, and was practically unable to perform manual labor. Medical evidence filed with this committee is to the effect that claimant is totally disabled for performing manual labor by reason of disease of heart, enlarged prostate gland, hemorrhoids, and nervous and general debility. Neighbors testify that claimant is unable to labor and that he has no income other than his pension. On account of soldier's age, poverty, and inability to earn a support by his own manual labor, your committee recommend increase of pension to \$24 per month.

S. 1194. Christian Miller, of Fond du Lac, Wis., served as a private in Company G, Thirty-second Regiment, and Company D, Sixteenth Regiment, Wisconsin Infantry, from November 9, 1863, to July 12, 1865, when honorably discharged. After the war he enlisted in the Regular Army May 30, 1866, and served three years in Company C, Thirty-seventh United States Infantry, being honorably discharged May 30, 1869. He is at present in receipt of a pension under the service act of February 6, 1907, at the rate of \$12 per month. He never filed a claim under the general law, but formerly drew \$8 per month under the act of June 27, 1890.

The claimant is now about 67 years of age. It appears from the report of his last medical examination, taken July 1, 1903, that he suffered from disease of digestive organs and general debility, varicose veins of both legs, and right inguinal hernia, and was practically unable to perform manual labor. Medical evidence filed with this committee is to the effect that claimant is totally disabled for manual labor by reason of rheumatism, weak heart, chronic diarrhea, rupture, general debility, and old age. Neighbors testify that claimant is unable to perform manual labor of any kind, and that he has no property and no means of support except his pension. On account of soldier's age, poverty, good record, and inability to earn a support by his own manual labor, the committee recommend increase of pension to \$24 per month.

S. 1195. Albert C. Jefferson, of Berlin, Wis., served from May 2, 1864, to September 9, 1864, as a private in Company D, One hundred and sixty-sixth Regiment Ohio National Guard Infantry. He filed and established a claim under the act of June 27, 1890, and is now pensioned under said act at the rate of \$12 per month. He also filed

a claim under the general law March 8, 1892, alleging service origin of diarrhea, disease of stomach and bowels, rheumatism, disease of heart, and loss of sight of right eye, but this claim he has been unable to prove and has long since abandoned.

Claimant is now 67 years of age. He has not been examined by bureau surgeons since July, 1891, but evidence filed with this committee shows that he suffers from chronic rheumatism, heart disease, total blindness of right eye and partial blindness of left eye, and a physician and two neighbors testify that he is totally disabled and wholly unable to perform manual labor. It is also shown that claimant is poor and that he has no income other than his pension. On account of soldier's age, poverty, and inability to earn a support by manual labor, the committee recommend increase of pension to \$24 per month.

S. 1367. William J. Perkins, of Kearney, Nebr., served during the Civil War as a member of Company M, First Regiment Rhode Island Volunteer Cavalry. He was a good soldier and has a good record, having enlisted December 27, 1861, and being honorably discharged July 15, 1865. He was a prisoner of war at Richmond, Va., from October 31 to November 8, 1862, and again from June 18 to July 23, 1863.

He is a pensioner under the service act of February 6, 1907, at the rate of \$12 per month. He established a claim under the general law, and was formerly pensioned at \$10 per month for disease of respiratory organs admitted to have been of service origin.

This claimant is an old man of over 69 years of age. He has not been examined by bureau surgeons since March 30, 1898, when he was rated \$8 for disease of respiratory organs and \$8 for disease of heart. The evidence of a physician and neighbors filed with this committee shows that the claimant is now a feeble old man, broken in health and strength, and no longer able to perform any manual labor for the support of himself and family. It is also shown that he is poor and needy and without property, not even a home, and with no means of any kind. In such cases your committee usually grant substantial relief by doubling the pension, and increase to \$24 is therefore recommended.

S. 1670. Jacob P. Buswell was a private and corporal in Company A, Tenth Regiment New Hampshire Volunteer Infantry. He enlisted August 8, 1862, and was honorably discharged May 17, 1865. The records show him to have been treated in service for chronic rheumatism and sunstroke. He filed and established a claim for sunstroke as of service origin and is pensioned under the general law for vertigo, headache, disease of spine, and impaired vision, results of sunstroke, at \$17 per month. Claim for increase filed November 21, 1903, was rejected January 6, 1906, and mental impairment alleged as result of pensioned disabilities was not so accepted by the medical referee.

Claimant is now upward of 73 years of age. His last medical examination, taken November 29, 1905, showed that he suffered from results of sunstroke, also impaired memory, piles, hydrocele, bronchitis, and senile debility and was wholly unable to perform manual labor. Medical evidence filed with this committee is to the effect

that soldier has nearly total loss of sight of right eye with impaired vision of left eye; that he suffers from rheumatism, disease of heart, right hydrocele, hemorrhoids, and varicose veins of left leg, and that he is totally incapacitated for manual labor and requires frequent assistance in dressing and undressing himself. He is also shown to be poor and without property or income apart from his pension. In view of soldiers' advanced age, his honorable service of nearly three years, his poverty, and total disability for manual labor, largely due to causes of service origin, your committee are of opinion he should have increase of pension to \$30 per month

S. 1884. George S. Putnam, the claimant, was a private and sergeant in Company H, First Regiment Wisconsin Volunteer Cavalry. He enlisted January 1, 1862, and served until the close of the war, being honorably discharged July 19, 1865. The pension he draws is \$12 per month under the general law for gunshot wound of neck accidentally incurred in service in December, 1862. It appears, however, from evidence filed in the bureau and also with this committee that claimant is totally disabled by reason of paralysis of right side, total deafness of right ear, and mental weakness, and is physically incapable of taking care of himself. His physician testified under date of April 24, 1911:

That he (claimant) is still unable to use his right arm or hand and his right leg but little, so that he is confined to the house and has been since September, 1910; that his mind and memory are clouded so that his speech is for the most part unintelligible through his inability to remember words or to articulate them; that he still needs the services of a physician and nurse, and is totally incapacitated for work or the transaction of business of any kind.

Claimant is 68 years of age and without means of support aside from his pension. In view of his advanced age, his long-continued and honorable service, his grievous physical condition, and extreme poverty, the committee recommend increase of pension to \$30 per month.

S. 1912. William S. Hosack, the claimant, was a private in Company B, Seventy-eighth Regiment Pennsylvania Volunteer Infantry. He enlisted September 12, 1861, and was honorably discharged November 4, 1864, having served over three years. He was taken prisoner September 23, 1863, and confined at Libby Prison, Richmond, Va., for two months, being paroled November 24, 1863. He is now over 80 years of age and receives a pension of \$20 per month. He was formerly pensioned at \$12 per month granted him under the act of June 27, 1890, for total inability to earn a support by manual labor. He never filed a claim under the general law.

It appears from the evidence in his case that the claimant is nearly blind, so much so that he can not see to read or write. He is wholly incapacitated for performing any labor or attending to any kind of business, and it also appears that he is poor and almost entirely dependent upon his small pension for the support of himself and wife. It is proper to give this old veteran increase to \$36 per month on account of his poverty, helplessness, and good record.

S. 1913. William Roberts is shown by the War Department records to have enlisted April 24, 1861, at the first call for troops, as a private in Company I, Fourteenth Pennsylvania Volunteer Infantry, and to have been honorably discharged August 6, 1861. He reenlisted

August 24, 1861, as first sergeant in Company C, One hundred and tenth Pennsylvania Volunteer Infantry, was promoted second lieutenant June 15, 1862, and honorably resigned December 10, 1862. He again enlisted February 18, 1864, as a private in Company I, Third Pennsylvania Heavy Artillery, and served as such until December 9, 1864, when he was promoted second lieutenant in Company E, Fourth United States Colored Infantry. He was transferred to Company I, same regiment, April 9, 1865, and honorably resigned June 30, 1865. The records show him to have been treated while in service for slight wound of knee received at Manchester, Va., March 23, 1862, and also for remittent and intermittent fever. He filed and established a claim under the general law for malarial poisoning, and is now on the rolls at \$17 per month. He applied for increase at the bureau May 4, 1909, but his application was rejected July 1, 1909, on the ground that his condition was due in part to other than pensioned causes.

The soldier is now upward of 70 years of age. The report of his last medical examination, May 26, 1909, shows that he is totally disabled for any kind of labor. The examining surgeons describe his disabilities, to wit, malarial poisoning, right inguinal hernia, and disease of nervous system, and specifically state that he is a complete physical wreck, entirely incapacitated for manual labor, and entitled to \$30 per month. Evidence of physicians and neighbors filed with the committee shows that the claimant is in feeble health and wholly incapacitated for labor or for earning a support. It also appears that claimant is very poor and with no means of support except his pension. In view of soldier's advanced age, his long-continued and honorable service, his poverty, and total disability for manual labor, partly due to causes of service origin, the committee are of opinion he should have increase of pension to \$30 per month as proposed in the bill.

S. 1963. Alfred Greenstreet, of Parma, Idaho, was a private in Company D, Thirty-second Regiment Missouri Volunteer Infantry. He enlisted October 21, 1862, and served until the close of the war, being honorably discharged July 18, 1865. He is a pensioner under the service act of February 6, 1907, at the rate of \$12 per month. He never filed a claim under the general law, but formerly drew \$8 per month under the act of June 27, 1890, for rheumatism, piles, and gunshot wound of right shoulder, received by accident since the war.

The claimant is an old man of over 68 years of age. He has not been examined by bureau surgeons for several years, but evidence filed with the committee shows that he is suffering from deafness, chronic rheumatism, hemorrhoids, enlarged prostate, wound of shoulder, and general debility, and two physicians and two neighbors testify that he is totally disabled and wholly unable to do manual labor. It is also in evidence that claimant is poor and without property or means of support except his pension. On account of soldier's age, poverty, good record, and inability to earn a support by his own manual labor, the committee recommend increase of pension to \$24 per month.

S. 1990. William O. Campbell, of Boise, Idaho, served as sergeant and first sergeant in Company G, First Regiment Connecticut Volunteer Heavy Artillery. He enlisted May 22, 1861, and was hon-

orably discharged September 25, 1865. He is in receipt of a pension of \$20 per month under the service act of February 6, 1907. He was formerly pensioned at \$12 per month under the act of June 27, 1890. His original allowance was under the general law at \$2 per month from discharge and \$4 per month from October 26, 1887, for malarial poisoning, admitted to have been of service origin.

The claimant is an old man of 81 years of age. The testimony in his case shows that he is entirely broken down from bronchitis, weak heart, vertigo, and old age, and is wholly disabled for manual labor. It is also shown that he is very poor, with no property except a small home, and with no means of support for himself and aged wife aside from his pension. In view of soldier's advanced age, his honorable service of over four years, his total disability, and necessitous circumstances, the committee recommend increase of pension to \$30 per month.

S. 1998. Charles Shabley was a private in Company K, Eleventh Illinois Volunteer Infantry. He served three years, from September 1, 1861, to September 1, 1864, and was honorably discharged. He was severely wounded in battle at Fort Donelson, Tenn., February 15, 1862, the bullet never having been extracted. He is pensioned under the general law at \$17 for gunshot wound of left thigh and loss of sight of right eye, the latter, as well as the wound, having been shown to have been incurred in the military service.

Evidence filed in the bureau and with the committee shows that in addition to pensioned disabilities, claimant is crippled by loss of right arm sustained in accident since the war. The arm was amputated about 4 inches below the shoulder. He is also a sufferer from eczema of both feet and left hand and inguinal hernia on left side, and is wholly unable to perform manual labor for his support. When last examined, April 4, 1906, he was rated \$17 for gunshot wound of left thigh and \$12 for loss of sight of right eye. He is 70 years of age and in poor circumstances, the income from his property not exceeding \$100 per annum. In view of his advanced age, his long-continued and honorable service in the war, his unfortunate physical condition, and his necessitous circumstances, your committee are of opinion he should have increase of pension to \$30 per month as proposed in the bill.

S. 2015. Michael H. Skinner, of Ottumwa, Iowa, was a private in Company D, Second Regiment Pennsylvania Volunteer Heavy Artillery. He enlisted February 15, 1864, and was discharged January 29, 1866, having served two years. He is a pensioner at \$12 per month under the service act of February 6, 1907. He never filed a claim under the general law, but was formerly pensioned at \$10 per month under the act of June 27, 1890.

He is 66 years of age, and the report of his last medical examination, taken June 18, 1902, showed that he suffered from rheumatism, disease of heart and rectum, and catarrh, and was practically unable to perform manual labor. Medical evidence filed with this committee shows that claimant is at present suffering from chronic rheumatism, disease of heart, and fracture of ribs of right side, which totally disable him for manual labor. Two neighbors also testify that claimant is unable to work, and it further appears that he is poor and needy and without means for his support. In such cases

your committee usually grant substantial relief by doubling the pension, and increase to \$24 is therefore recommended.

S. 2017. Delevan L. Terrill served three years during the Civil War as a private in Company E, Second Regiment United States Volunteer Sharpshooters, and Company G, Tenth Regiment Veteran Reserve Corps. The official records show that he enlisted November 9, 1861, and that he was honorably discharged November 9, 1864. He is a pensioner at \$12 per month under the service act of February 6, 1907. He was originally pensioned under the general law at \$4 per month from discharge and \$8 per month from February 23, 1887, for disease of respiratory organs and injury of back and chest admitted as of service origin.

The claimant is about 70 years old. Testimony filed with this committee shows that he is severely afflicted with asthma, complicated with bronchitis and emphysema of lungs, and functional heart trouble, which, together with old age, totally incapacitates him from performing any manual labor. He is also shown to be financially poor and without means for the support of himself and wife. On account of soldier's advanced age, poverty, and inability to earn a support by manual labor, your committee recommend increase of pension to \$24 per month.

S. 2018. Henry M. Willis was a private in Company K, Twenty-second Regiment Connecticut Volunteer Infantry. He served from September 3, 1862, to July 7, 1863, and was honorably discharged. He is a pensioner under the service act of February 6, 1907, at the rate of \$12 per month. He never filed a claim under the general law, but formerly drew \$6 per month under the act of June 27, 1890.

Testimony on file in the case shows that the claimant is nearly 70 years of age, unable to labor, and in needy circumstances. Dr. W. J. McCurdy testifies, in affidavit filed with this committee, that soldier is suffering from rheumatism, nervous weakness, and general debility; that he had a stroke of partial paralysis over two years ago, affecting his lower limbs, from which he has not wholly recovered; that his greatest disability is general debility resulting from old age, and that he is completely and entirely incapacitated for manual labor to the extent of earning anything in the way of a support. It further appears that soldier is poor and needy and without means of support for himself and aged wife. In such cases your committee usually grant substantial relief by doubling the pension, and increase to \$24 is therefore recommended.

S. 2027. Isaiah Fry was a private and corporal in Company A, Forty-fifth Kentucky Volunteer Infantry. He served from July 6, 1863, to December 24, 1864, and was honorably discharged. He is a pensioner at \$20 per month under the service act of February 6, 1907. He was formerly pensioned under the general law at \$14 per month for gunshot wound of left leg and ventral hernia, the latter, as well as the wound, having been shown to have been incurred in the military service.

The claimant is an old man of about 75 years of age. When last examined, December 2, 1908, he was rated \$10 for gunshot wound of left leg, \$10 for ventral hernia, \$6 for general debility, and \$14 for disease of heart. Medical evidence filed with this com-

mittee shows that the claimant now has paralysis of left side, gunshot wound of left leg, and heart disease, and is unable to perform manual labor. It is also shown that he is poor and without means of support except his pension. On account of soldier's old age, poverty, and total disability, your committee recommend increase of pension to \$30 per month.

S. 2089. Abigail J. Fairfield, of Bangor, Me., is the widow of Luther C. Fairfield, late second lieutenant Company H, Seventh Regiment Maine Volunteer Infantry, who was enrolled August 21, 1861, and who died in service, of diarrhea and rheumatism, November 18, 1862. She was married to the soldier May 29, 1842. The pension which she draws at present is \$15 per month, the rate provided by the general law for the widow of a second lieutenant. She has drawn this pension continuously from date of soldier's death.

It appears from the evidence on file that the widow is 91 years old and that she is helpless and confined to her bed, where she has been for the past seven years. She has no source of income except her small pension, and has been supported by her daughter, who is also old and incapacitated, by reason of sickness and infirmities, from further work. There are many precedents for legislation in cases of this character, and the committee recommend increase of pension to \$25 per month.

S. 2092. John F. Chamberlin, of South Poland, Me., late private, Company H, and commissary sergeant, Twenty-ninth Regiment Maine Volunteer Infantry, served from February 27, 1864, to June 21, 1866, and was honorably discharged. He is a pensioner under the service act of February 6, 1907, at the rate of \$15 per month. He was formerly pensioned at \$10 per month under the act of June 27, 1890. His original allowance was under the general law at \$2 per month from October 3, 1884, and \$4 per month from March 27, 1889, for neuralgia of head, result of sunstroke admitted to have been of service origin.

The claimant is an old man of over 73 years of age. The testimony on file in his case, including the reports of bureau surgeons, shows that he is broken down from malarial poisoning, rheumatism, heart disease, impaired sight, and other infirmities of age, and is no longer able to perform manual labor for his support. The papers submitted to the committee also show that claimant is unable to labor and that he is very poor, with no source of income except his pension. On account of soldiers' age, poverty, and inability to earn a support by his own manual labor, the committee recommend increase of pension to \$24 per month.

S. 2093. Charles L. Burgess was a private in Company I, Twenty-third Regiment Maine Volunteer Infantry. He enlisted September 10, 1862, and was discharged April 2, 1863, on surgeon's certificate of disability on account of phthisis pulmonalis following typhoid fever contracted in service. He is a pensioner under the service act of February 6, 1907, at the rate of \$15 per month. He was formerly pensioned under the general law at \$10 per month for disease of liver and resulting piles, admitted to have been of service origin. His claim for increase under the general law filed July 11, 1906, was rejected December 24, 1906.

When this claimant was last examined, November 7, 1906, he was rated \$8 for disease of liver, \$4 for piles, \$8 for disease of feet, and \$4 for disease of heart. Evidence filed with the committee shows that claimant is crippled and disabled from loss of right leg just below the knee sustained in accident about four years ago, and that he is wholly unable to perform manual labor. He is 74 years of age and in needy circumstances, being entirely dependent upon his pension for support. An increase in soldier's pension to \$24 per month is recommended on the ground of his present condition. It is not due to his service, which was less than one year, and no greater increase is warranted.

S. 2130. James Smith served three years in the Civil War as a private in Company K, First Regiment Tennessee Volunteer Cavalry. He enlisted July 12, 1862, and was honorably discharged June 5, 1865. Prisoner-of-war records show him captured in Lee County, Va., August 12 or 16, 1862, while on his way to join the Federal Army, confined in Castle Thunder, Richmond, Va., and paroled March 17, 1863.

He established a claim under the general law for chronic diarrhea and resulting disease of liver and rectum, and is pensioned at \$14 per month by certificate No. 373813. Applications for increase, filed September 20, 1905, and March 13, 1906, were rejected February 27, 1906, and August 30, 1906, respectively. His last application for increase, filed June 29, 1909, was rejected September 25, 1909, on the ground that his condition was due in part to other than pensioned cause.

When claimant was last examined by a Pension Office board at Rogersville, Tenn., August 4, 1909, he was rated \$10 for chronic diarrhea, \$7 for disease of liver, and \$3 for disease of rectum. Another board of surgeons, before whom he was examined at Greeneville, Tenn., August 1, 1906, rated him \$17 for chronic diarrhea and disease of liver and \$8 for disease of rectum. Medical and other evidence on file in the bureau and with this committee shows that soldier's condition is such that he is unable to earn a living by manual labor. He is about 71 years of age and very poor. Acting in this case as we have in similar cases, and it being meritorious, the committee recommend increase of pension to \$24 per month.

S. 2131. Samuel S. Wilhite, the claimant, was a private in Company F, Fourth Regiment Tennessee Volunteer Infantry. He enlisted April 25, 1863, and served until the close of the war, being honorably discharged August 2, 1865. He established a claim under the general law and is pensioned at \$24 per month on account of remittent fever with resulting abscess of right side of jaw and face and partial paralysis, affecting right eye and right leg. Application for increase, filed December 10, 1907, was rejected November 24, 1908.

The claimant is an old man 78 years of age. When last examined, November 4, 1908, by a board of surgeons at Greeneville, Tenn., he was reported to be so disabled by paralysis as to be incapacitated for performing manual labor and entitled to \$30 per month. Evidence filed with this committee shows that claimant is unable to labor on account of paralysis, that he is broken down by age and its attendant infirmities, and much of the time requires some one to care for him.

He is in need of relief, and your committee recommend increase of pension to \$36 per month.

S. 2138. Edward G. Danforth served during the Civil War as private and corporal in Company K, Forty-first Regiment Ohio Volunteer Infantry. He enlisted September 25, 1861, and was honorably discharged July 24, 1862, on surgeon's certificate of disability on account of chronic diarrhea. He is a pensioner under the service act of February 6, 1907, at the rate of \$20 per month. He was formerly pensioned under the general law at \$17 per month for chronic diarrhea and resulting disease of liver and rectum. Claim under the general law for additional disabilities, rheumatism, heart disease, partial deafness, enlarged prostate, and double hernia, was rejected because he could not furnish the necessary evidence to prove service origin.

The claimant is an old man of 80 years of age. The report of his last examination, taken November 28, 1906, shows that he suffers from chronic diarrhea and resulting disease of liver and rectum, rheumatism, heart disease, double inguinal hernia, and senile debility, and is totally disabled, and medical and other evidence to the same effect is filed with this committee. It is also shown that he is a poor man, without property except a small home, and with no means of support apart from his pension. On account of soldier's age, poverty, and total disability, your committee recommend increase of pension to \$30 per month.

S. 2229. Elizabeth Cleary, the claimant, is the widow of Charles C. Cleary, alias Charles Reinhart, late of Company F, Seventy-fifth Regiment Ohio Volunteer Infantry. Soldier enlisted as private in above organization November 12, 1861, to serve three years, and was honorably discharged and mustered out December 23, 1864. After the war he entered the Regular Army January 25, 1866, and served through different enlistments in Troops A and E, First United States Cavalry, until July 10, 1891, when he was placed on the retired list. He died of disease of stomach February 2, 1901.

The widow was married to the soldier June 1, 1893, and is about 55 years old. She applied for pension under the general law, but the application was rejected on the ground that the soldier's fatal disease was not proved as due to his Army service. She has no pensionable status under the acts of June 27, 1890, and April 19, 1908, on account of her not having married the soldier until subsequent to the former date. Soldier's minor child by claimant, Viola B. Cleary, born January 12, 1895, was pensioned under the act of June 27, 1890, from October 3, 1903, to January 11, 1911, when she became 16 years of age.

The widow is shown to be poor and to have earned her living by scrubbing, washing, and other similar work, which on account of her age she is no longer able to do. Evidence obtained by a special examiner of the bureau shows that soldier was in poor health after he returned from the Army, and it is highly probable that his death resulted from his long military service. On account of the soldier's good record and the widow's destitution, and in consideration of the fact that she was married to the soldier within a few years after June 27, 1890, and is also the mother of his child, your committee

are of opinion that she is equitably entitled to the pension of \$12 per month, as proposed in the bill.

S. 2230. John Stevens, the claimant, was a private in Company B, Seventy-sixth Regiment Pennsylvania Volunteer Infantry. He served from August 25, 1863, to July 18, 1865, and was honorably discharged. He is a pensioner at \$20 per month under the service act of February 6, 1907. He was formerly pensioned at \$12 per month granted him under the act of June 27, 1890, on account of total inability to earn a support by manual labor.

The claimant is over 81 years of age, totally disabled, and very poor. The testimony filed with this committee shows that from old age and bodily infirmities he is mentally and physically broken down and requires the constant care and attention of another person. It further appears that he has no property except a life interest in a small home, and has no means of support for himself and wife. On account of soldier's age, poverty, and helplessness, your committee are of opinion he should have increase of pension to \$30 per month, as proposed in the bill.

S. 2328. Abial S. Loomis was a private in Company K, First Regiment United States Volunteer Sharpshooters. He enlisted January 10, 1862, and was discharged January 4, 1863, on surgeon's certificate of disability on account of incipient phthisis. He established a claim under the general law and is pensioned at \$17 per month for piles and resulting disease of rectum, admitted to have been of service origin. Claim for increase was rejected May 14, 1910, and claim for additional disabilities, rheumatism, and gunshot wound of head was rejected on the ground of no record or other satisfactory evidence to prove incurrence in the military service.

Claimant is now about 70 years of age. When last examined, November 17, 1909, he was rated \$16 for piles and disease of rectum, \$6 for wound of head, \$6 for impaired sight, \$2 for impaired hearing, and \$6 for rheumatism. The concluding paragraph of the examining surgeon's report is as follows:

This claimant is so permanently disabled from piles and diseased rectum and rheumatism as to incapacitate him for the performance of any manual labor, and he is entitled to \$24 per month.

Medical and other evidence filed with this committee is to the effect that claimant is totally disabled for any kind of manual labor by reason of piles and chronic rheumatism. It further appears that he is a poor man, with no property except a small home, and without means of support except his pension. On account of soldier's age, poverty, and total disability, partly due to causes of service origin, the committee recommend increase of pension to \$30 per month, as proposed in the bill.

S. 2715. John R. Littell was a private and corporal in Company G, One hundred and sixty-eighth Regiment Pennsylvania Volunteer Infantry. He enlisted October 16, 1862, and was honorably discharged July 24, 1863. He established a claim under the general law for disease of kidneys and stomach, and is pensioned therefor at \$14 per month. He was first pensioned at \$4 per month from discharge, increased to \$10 from March 11, 1886, and to \$14 from May 19, 1886.

Claim for further increase, filed March 4, 1910, was rejected May 7, 1910.

When this claimant was last medically examined, March 23, 1910, he was rated \$18 for disease of stomach, \$10 for right inguinal hernia, and \$6 for senile debility; and the examining surgeons reported that the sum of his disabilities incapacitated claimant equivalent to the loss of a hand or foot for purposes of manual labor, and entitled him to \$24 per month. Medical evidence filed with this committee shows that claimant is totally disabled for the performance of manual labor by reason of disease of stomach and kidneys and large scrotal hernia on right side. He is 73 years of age and poor, with no property except a home, and without means for his support. Acting in this case as we have in similar cases, your committee recommend increase of pension to \$24 per month.

S. 2800. Royal Cranston was a private in Company D, Thirty-third Wisconsin Volunteer Infantry. He served three years in the Civil War, from August 10, 1862, to August 9, 1865, and was honorably discharged. He is a pensioner under the service act of February 6, 1907, at the rate of \$12 per month. He never filed a claim under the general law, but established one under the act of June 27, 1890, and was formerly pensioned under said act at the rate of \$8 per month.

The claimant is over 68 years of age. It appears from his last medical examination, taken August 7, 1901, that he suffered from diarrhea, sciatica, and injury to spine, and was practically unable to perform manual labor. Medical and other evidence filed with this committee is to the effect that claimant is disabled by chronic indigestion, chronic diarrhea, rheumatism, injury to spine, and old age, and is no longer able to earn a support by his own manual labor. It also appears that he is poor and entirely worthy of an increase of pension. On account of soldier's advanced age, total disability, and good record the committee recommend increase of pension to \$30 per month as proposed in the bill.

S. 2827. Thomas Cogar, of Sutton, W. Va., was a private and corporal in Company I, Third Regiment West Virginia Volunteer Cavalry. He enlisted September 18, 1862, and was honorably discharged June 30, 1865, by reason of the close of the war. He is at present in receipt of a pension under the service act of February 6, 1907, at the rate of \$15 per month. He was formerly pensioned under the act of June 27, 1890, at \$12 per month. His original allowance was under the general law for injury of right side at \$2 per month from discharge, which was increased to \$4 from August 22, 1888.

It appears, however, that the claimant is over 72 years of age, and evidence filed shows that he is afflicted with rheumatism, neuralgia, and other infirmities of age, and is no longer able to work or earn a support by manual labor. It further appears that he is in destitute circumstances and without source of income except his pension, and has a wife dependent upon him for support. On account of soldier's age, poverty, good record, and inability to earn a support by his own manual labor, the committee recommend increase of pension to \$24 per month.

S. 2869. Daniel D. Whitney, late musician and corporal in Company E, Eleventh Regiment New Hampshire Volunteer Infantry, served from August 15, 1862, to June 4, 1865, and was honorably discharged. He is a pensioner under the service act of February 6, 1907, at the rate of \$12 per month. He never filed a claim under the general law, but established one under the act of June 27, 1890, and was formerly pensioned under said act at the rate of \$8 per month.

Claimant is now over 68 years of age. He has not been examined by bureau surgeons for several years, but evidence filed with this committee shows that he is suffering from rheumatism, disease of heart, double inguinal hernia, tumor on right hip, disease of rectum, varicose veins of both legs, deformity of feet, and other infirmities of age; and a physician and two neighbors testify that he is incapacitated for performing manual labor. It is also shown that he is very poor and without property or income except his pension. On account of soldier's age, poverty, and inability to earn a support by his own manual labor, the committee recommend increase of pension to \$30 per month.

S. 2884. David D. Barclay, the claimant in this case, was a good soldier and has a highly honorable military record. He entered the Union Army June 1, 1861, early in the war, as second lieutenant with Company D, Second West Virginia Mounted Infantry, subsequently known as the Fifth West Virginia Cavalry. He was promoted first lieutenant March 22, 1862; captain July 7, 1862, and major May 1, 1864, and served faithfully for over three years, being honorably mustered out August 20, 1864.

He is a pensioner under the service act of February 6, 1907, at the rate of \$15 per month. He was formerly pensioned under the act of June 27, 1890, at \$12 per month, granted him on account of total inability to earn a support by manual labor. He never filed a claim under the general law, his disabilities not being traceable to his military service.

The evidence on file in the bureau and with this committee shows that Maj. Barclay is over 74 years of age, and that he is entirely helpless and dependent upon others for care and support. He is partially paralyzed in legs, is nearly completely blind, and has other physical infirmities which render him unable to attend to himself or provide a living for himself and wife. He is absolutely incapable of doing any kind of labor and is also in needy circumstances and without means for his support. He was a good soldier and has a good record, and your committee are of opinion that increase of his pension to \$30 is warranted.

S. 2950. Charles L. Hubbs was a private in Company F, First Minnesota Volunteer Infantry, and served from May 29, 1861, to May 5, 1864, when honorably discharged. He reenlisted March 30, 1865, as a private in Company A, Ninth United States Veteran Volunteer Infantry, and was honorably mustered out March 29, 1866. He was taken prisoner at the first battle of Bull Run, Va., July 21, 1861, and confined at Richmond, New Orleans, and Salisbury, N. C., until May 25, 1862, when paroled.

He is at present in receipt of a pension of \$12 per month, granted him under the act of June 27, 1890, on account of total inability to earn a support by manual labor. He was wounded in left wrist and right thigh in the battle of Gettysburg, Pa., for which he was pensioned under the general law at \$6 per month.

It appears from the evidence in his case that claimant is invalid and helpless from multiple neuritis and is unable to do any kind of labor or to care for himself. His grievous condition clearly appears from the report of his last medical examination taken January 29, 1906, and from medical and other evidence filed before your committee. He is confined to his house and requires the aid and attendance of another person. He is 67 years of age, in needy circumstances, and worthy and deserving of relief. His case merits favorable consideration, and the committee are of opinion that increase of pension to \$30 per month, as proposed in the bill, is just and proper.

S. 3010. Eli Hoyt, the claimant, served in the Civil War as a private in Company D, Thirty-first Regiment United States Colored Volunteer Infantry. He enlisted July 30, 1864, and was honorably discharged November 7, 1865. He is pensioned under the general law at \$24 per month for rheumatism and resulting disease of heart, admitted to have been of service origin. He was first pensioned under the act of June 27, 1890, at \$12 per month from August 20, 1890, for rheumatism and ankylosis of right hip. On February 12, 1900, a certificate was issued to him under the general law for rheumatism and resulting disease of heart at \$17 from November 30, 1894, which rate was increased to \$24 from February 13, 1907.

The claimant is over 70 years of age. It is shown by the testimony filed in his case that he is totally disabled and unable to perform manual labor. When last medically examined, February 13, 1907, he was rated \$17 for rheumatism and \$12 for disease of heart, and the examining surgeons reported in direct terms that he was unable to perform any manual labor. Evidence filed with this committee is to the effect that he is totally disabled by reason of rheumatism, and it also appears that he is very poor and dependent upon his pension and the small earnings of his wife for his support. It is believed that his condition is such that increase to \$30 is warranted, his disabilities being of service origin.

S. 3033. William L. Norton, of Terryville, Conn., served in the Civil War as a corporal in Company B, Tenth Regiment Connecticut Volunteer Infantry. He was a good soldier and has a first-class record, having enlisted January 18, 1862, and being honorably discharged at the close of the war, May 15, 1865. The pension which he draws at present is \$15 per month under the general law for nasopharyngeal catarrh and resulting slight deafness of both ears. It appears, however, from evidence filed with this committee that claimant is 69 years old, no longer able to labor for his support, and in very needy circumstances. He is afflicted with catarrh, chronic bronchitis, heart trouble, double hernia, partial deafness, and some profound malignant disease—probably cancer—which entirely incapacitates him for earning a living by manual labor. The following letter from the speaker of the Connecticut House of Representatives, addressed

to Senator McLean, who introduced the bill in claimant's behalf, shows something of the facts in the case:

STATE OF CONNECTICUT,
HOUSE OF REPRESENTATIVES,
Terryville, Conn., January 23, 1912.

HON. GEORGE P. McLEAN,
United States Senator, Washington, D. C.

DEAR SENATOR: I sincerely trust that you will succeed in getting favorable action on the bill you introduced last session for an increase in pension for William L. Norton, of this place. He is failing very rapidly and if he is to get any benefit from an increased pension he will have to get it very soon, because in all probability he can not last very long. There is nothing to him now but skin and bones and he is speedily losing in weight, having lost over 30 pounds in the last year, as he seems to be suffering from a malignant form of gall and liver trouble and I can get an affidavit to that effect from Dr. Abrams, of Hartford, the local doctor having apparently made a wrong diagnosis of his case. I will greatly appreciate it if you get a speedy and successful action with this case.

With kindest regards, I am, sincerely, yours ,

FRED. A. SCOTT.

It is also shown that claimant is a poor man, with but little property, and largely dependent upon his pension for his support. In view of soldier's advanced age, his honorable service of over three years, his poverty and grievous disability, your committee are of opinion he should have increase of pension to \$30 per month, as proposed in the bill.

S. 3053. Josiah McKirahan, the claimant, was a private in Company A, Fifth Regiment Iowa Volunteer Cavalry. He served from August 29, 1861, to February 5, 1863, when discharged on surgeon's certificate of disability on account of gunshot wound of left leg received in action at Cumberland Rolling Mills, Ky., August 26, 1862. He is a pensioner under the service act of February 6, 1907, at the rate of \$20 per month. He was formerly pensioned at \$12 per month under the act of June 27, 1890, for total inability to earn a support by manual labor. His original allowance was under the general law for gunshot wound of left leg, at \$2.66 $\frac{2}{3}$ per month from discharge, which was increased to \$5 from July 28, 1876, and finally to \$8 from January 4, 1888.

This claimant is nearly 78 years of age. It appears from his last medical examination, taken June 21, 1899, that he suffered from gunshot wound of left leg, double inguinal hernia, lumbago, disease of rectum, and general debility, and the examining surgeons reported in direct terms that claimant is unable to do any manual labor.

Medical evidence accompanying the bill shows that claimant is broken down from old age, gunshot wound of left leg, double inguinal hernia, and enlarged prostate gland, and is totally disabled for any kind of manual labor. It is also shown that claimant is poor and needy and without property or means of support except his pension. On account of soldier's age, poverty, and inability to earn a support by his own manual labor, your committee recommend increase of pension to \$30 per month.

S. 3054. Josiah H. Gordon, of Hot Springs, S. Dak., was a private in Company B, Eleventh Regiment Maine Volunteer Infantry. He served from November 30, 1863, to March 10, 1865, when discharged on account of wound received in action. He is now in receipt of

pension under the service act of February 6, 1907, at the rate of \$15 per month. He was wounded in right thigh in battle at Deep Run, Va., August 16, 1864, and was formerly pensioned under the general law at \$10 per month. Claim for increase under the general law, filed December 24, 1904, was rejected May 17, 1905.

When claimant was last medically examined, February 15, 1905, he was rated \$10 for gunshot wound of right thigh and \$6 for right inguinal hernia. Medical evidence filed with this committee shows that claimant is suffering from gunshot wound of right thigh, chronic rheumatism, heart disease, and double inguinal hernia, and is totally disabled for manual labor. He is 71 years of age and in destitute circumstances, being entirely dependent upon his pension for support. On account of soldier's age, poverty, and inability to earn a support by his own manual labor, the committee recommend increase of pension to \$24 per month.

S. 3102. Clark Colvin, of Colfax, Wash., the claimant in this case, was a good soldier, and has an honorable military record. He enlisted in the Union Army August 7, 1862, and served nearly three years as a private, corporal, and sergeant in Company D, Thirtieth Iowa Infantry, being honorably discharged at the close of the war, June 5, 1865. He is a pensioner under the service act of February 6, 1907, at the rate of \$20 per month. He never filed a claim under the general law, but formerly drew \$12 per month under the act of June 27, 1890, granted him on account of total inability to earn a support by manual labor.

The claimant is an old man, 80 years of age. The testimony on file in his case shows that he suffers from severe injuries sustained a few years ago, also from rheumatism and other infirmities incident to old age, and is totally disabled for any kind of labor, being most of the time confined to his house and bed. It is further shown that he is in destitute circumstances and entirely dependent upon his pension for support. There are many precedents for special legislation in cases of this character, and your committee recommend increase of pension to \$30 per month.

S. 3103. Emily Fisher is the dependent invalid daughter of William J. Fisher, who enlisted in the Union Army April 27, 1861, as a sergeant in Company E, Seventh Massachusetts Volunteer Infantry, was promoted second lieutenant Company D, same regiment, June 19, 1863, and honorably mustered out June 27, 1864. Prior to the Civil War he served in the Regular Army as a private in Battery C, Second United States Artillery, from January 6, 1854, to October 13, 1860, and was honorably discharged. He was a pensioner under the act of June 27, 1890, holding certificate No. 1021953 until his death, which occurred November 17, 1903. He was pensioned first at \$8 and later at \$12 per month, and his widow made application March 19, 1904, for a widow's pension. During the pendency of the claim she died, leaving the claimant, a helpless invalid daughter, without any means of support.

The affidavits in behalf of the claimant show that she is 23 years of age, and that since she was 12 years old she has been a confirmed invalid and cripple and unable to care for herself. Her disabilities are chronic and acute rheumatism, partial paralysis, epilepsy, and

other infirmities, and she has never been able to earn a support, and for long intervals is confined to her bed. She has no means of any kind and is dependent upon others for care and support. As she is over 16 years of age, she can obtain no relief at the bureau, but her case is within the spirit and intent of the pension laws, and the facts, as stated, justify the committee in recommending pension at \$12 per month, as proposed in the bill.

S. 3105. George Choron, the claimant, was a private in Company G, First Regiment Massachusetts Volunteer Heavy Artillery. He served from October 13, 1864, to August 16, 1865, and was honorably discharged. He established a claim under the general law, and is pensioned at \$30 per month for injury of stomach and rheumatism and resulting disease of heart admitted to have been of service origin. Claim for increase filed March 25, 1911, was rejected June 13, 1911.

When claimant was last medically examined April 19, 1911, he was rated \$12 for rheumatism, \$30 for heart disease, and \$8 for disease of kidneys. The concluding paragraph of the examining surgeons' report is as follows:

Claimant is so disabled by rheumatism and heart disease that he needs the frequent and periodical, though not regular and constant, aid and attendance of another person, and is entitled to \$50 a month.

Evidence filed in the bureau shows that claimant by reason of pensioned disabilities requires the aid and attendance of another person in dressing and undressing, and evidence to the same effect is filed with this committee. He is 68 years of age and without property or means of support except his pension. It is believed that his condition is such that increase to \$50 is warranted, his disabilities being of service origin.

S. 3106. William Starry was a private, corporal, and sergeant in Company B, Ninth Regiment Iowa Volunteer Infantry. He enlisted September 23, 1861, and was honorably discharged July 18, 1865, having served nearly four years. He was a good soldier, and has a first-class record.

He is now in receipt of a pension of \$12 per month under the service act of February 6, 1907. He was formerly pensioned at \$10 per month under the act of June 27, 1890. His original allowance was under the general law at \$2 per month, from discharge for injury to left great toe.

The claimant is now in the seventieth year of his age. The report of his last medical examination, taken October 5, 1904, showed that he suffered from rheumatism, disease of heart, enlarged prostate, and general debility, and the examining surgeons reported in direct terms that he was practically unable to perform manual labor. Dr. Steve S. Sanger testifies, in affidavit filed with this committee, that claimant is a constant sufferer from inflammation of the bladder and prostate gland, which gland is probably undergoing a degeneration, and may result in cancer, causing death; that claimant was operated on several months ago for stone in bladder and glandular trouble, which operation was only a partial success; that a fistulous opening had to be left in the bladder to insure drainage; that this opening is permanent, because he can not urinate at all; that there is much blood, mucous, and pus in bladder the greater part of the time; that claim-

ant's physical condition is very bad and will get no better, and that he is incapable of doing any physical work, but should require an attendant part of the time.

Claimant is shown to be poor and without property, and dependent upon his pension for support. In view of his advanced age, his long-continued and honorable service, his grievous physical condition, and extreme poverty, the committee are of opinion that increase of his pension to \$30 per month, as proposed in the bill, is just and proper.

S. 3133. Samuel Osborne was a corporal in Company F, Tenth Regiment Wisconsin Volunteer Infantry. He enlisted September 12, 1861, and was discharged for physical disability December 21, 1862. He is now in receipt of a pension of \$20 per month under the service act of February 6, 1907. He never filed a claim under the general law, but formerly drew \$12 per month under the act of June 27, 1890, granted him on account of total inability to earn a support by manual labor.

Claimant is now over 80 years of age. The testimony on file in his case, including reports of bureau surgeons, shows that he is afflicted with rheumatism, catarrh, impaired sight and hearing, and other infirmities incident to old age, and is wholly unable to perform manual labor. He is also shown to be poor and without property except a small cottage home, and with no means of support other than his pension.

On account of soldier's age, poverty, and inability to earn a support by his own manual labor, the committee recommend increase of pension to \$30 per month.

S. 3144. William Boyd, the claimant, enlisted July 25, 1861, early in the war as a private in Company E, Sixty-second Pennsylvania Volunteer Infantry, and was honorably discharged February 20, 1863, on account of wound received in action. He again enlisted September 17, 1863, as a private in Company K, Seventy-sixth Pennsylvania Volunteer Infantry, and was honorably mustered out as corporal July 18, 1865, by reason of the close of the war.

He is now in receipt of a pension of \$15 per month under the service act of February 6, 1907. He was formerly pensioned under the general law at \$12 per month for gunshot wounds of left shoulder and left foot, the former received in battle at Malvern Hill, Va., July 1, 1862, and the latter in action at Drury's Bluff, Va., May 14, 1864. Claim for renewal and increase under the general law, filed July 12, 1910, was rejected October 19, 1910, on the ground that claimant's condition was partly due to disease of heart and senile degeneration. His last claim for renewal and increase, filed April 27, 1911, was rejected without medical examination May 23, 1911.

Claimant is now nearly 74 years of age. He was last examined September 28, 1910, by a full board of surgeons, who reported that he was suffering from disease of heart and gunshot wounds of left shoulder and left foot, and that he was totally incapacitated for manual labor and entitled to \$30 per month. Another board of surgeons, before whom claimant was examined May 18, 1910, rated him \$17 for wound of shoulder, \$4 for wound of foot, and \$30 for disease of heart; and also reported that he was incapacitated for manual

labor. Medical evidence filed with this committee is to the effect that claimant is totally disabled for the performance of manual labor by reason of wounds, disease of heart, and general debility. It is also shown that claimant is very poor and without source of income except his pension. On account of his advanced age, his long-continued and honorable service, his poverty, and total disability for manual labor, partly due to wounds received in battle, your committee are of opinion he should have increase of pension to \$30 per month.

S. 3172. Michael Crane, late of U. S. S. *Ohio*, *Mississippi*, and *Princeton*, United States Navy, served over three years in the Civil War, from May 9, 1861, to June 13, 1864, and was honorably discharged. He is a pensioner under the service act of February 6, 1907, at the rate of \$20 per month. He was formerly pensioned at \$12 per month under the act of June 27, 1890. He never filed a claim under the general law, his disabilities not being directly traceable to his naval service.

The claimant is an old man, 82 years of age. It is shown by medical and other affidavits filed with this committee that he is totally blind and otherwise in such feeble condition that he requires the constant attention of another person to care for him. It is also shown that he is poor and entirely dependent upon his pension for support. On account of claimant's age, poverty, good record, and helplessness, the committee recommend increase of pension to \$30 per month.

S. 3192. William Boyce, the claimant, was a private and corporal in Company F, Seventh Regiment Iowa Volunteer Cavalry. He served from January 10, 1863, to January 10, 1866, and was honorably discharged. He is a pensioner under the service act of February 6, 1907, at the rate of \$15 per month. He was formerly pensioned under the act of June 27, 1890, at \$12 per month. He also filed a claim under the general law April 17, 1890, alleging measles, disease of eyes, deafness, and injury to testicles; but this claim he has been unable to prove and has long since abandoned.

Claimant is now over 73 years of age. He has not been examined by bureau surgeons for many years, but evidence filed with this committee shows that he is afflicted with chronic rheumatism, chronic gastritis, chronic constipation, bladder trouble, vertigo, and other infirmities incident to old age; and a physician and two neighbors testify that he is physically unable to do any kind of labor. He is also shown to be poor and without property or means of support except his pension. On account of soldier's age, poverty, and inability to earn a support by manual labor the committee recommend increase of pension to \$24 per month.

S. 3298. Jacob Lantz enlisted August 8, 1862, as a private in Company H, One hundred and thirtieth Pennsylvania Volunteer Infantry, and was honorably discharged May 31, 1863. He again enlisted February 24, 1864, as a private in Company K, Ninth Pennsylvania Volunteer Cavalry, and served until the close of the war, being finally and honorably discharged July 18, 1865. The pension which he draws at present is \$12 per month under the age or service act of February 6, 1907. He formerly drew a disability pension of \$10 per

month under the act of June 27, 1890. He also filed a claim under the general law in June, 1880, alleging service origin of rupture of left side, but this claim he has never been able to prove and has long since abandoned.

The claimant is now nearly 67 years of age. It appears from the report of his last medical examination, taken September 5, 1906, that he was disabled by rheumatism, disease of heart, catarrh, and left varicocele, and was practically unable to perform manual labor. Medical evidence filed with this committee is to the effect that claimant is at present totally disabled for performing manual labor by reason of disease of heart, chronic catarrhal bronchitis, stomach trouble, and general debility, and much of the time requires an attendant.

It is also shown that soldier is poor and without property, not even a home, and with no source of income except his pension for the support of himself and wife, who is also in poor health. In view of soldier's advanced age, his honorable and faithful service in the war, his total disability and extreme poverty, the committee are of opinion he should have increase of pension to \$30 per month, as proposed in the bill.

S. 3299. William M. Clark was a private in Company C, Seventeenth Regiment Illinois Volunteer Cavalry. He enlisted November 1, 1863, and was honorably discharged November 23, 1865, having served over two years. He is in receipt of a pension under the age or service act of February 6, 1907, at the rate of \$12 per month. He never filed a claim under the general law, but formerly drew \$10 per month under the act of June 27, 1890.

The claimant is now over 67 years of age and, as evidence shows, totally disabled and in destitute circumstances. The report of his last medical examination, taken March 21, 1906, showed that he was suffering from catarrh, vertigo, rheumatism, enlarged prostate, cancer of lip, and senile debility and was totally disabled, and medical and other evidence filed with this committee shows that he is at present wholly unable to perform manual labor. Dr. F. N. Wells, claimant's physician, testifies that claimant is afflicted with organic heart disease and cancer of jaw, which will undoubtedly ultimately cause his death, and that claimant is positively and altogether incapacitated for manual labor of any kind. It is also shown that claimant has no source of income except his pension and has a wife dependent upon him for support. In view of soldier's advanced age, his long-continued and honorable service, his grievous physical infirmities, and extreme poverty, the committee are of opinion he should have increase of pension to \$30 per month, as proposed in the bill.

S. 3384. Lucy R. Stokes is the widow of Charles Stokes, late private and corporal in Company H, Third Regiment Minnesota Volunteer Infantry. Claimant's husband enlisted October 23, 1861, and was discharged September 5, 1865, on account of disease of eyes contracted in service and line of duty. He died of kidney disease January 17, 1899, aged 62 years. At the time of his death he was a pensioner under the general law at \$72 per month for total blindness.

Claimant was married to soldier October 18, 1870. The pension she draws is \$12 per month under the act of April 19, 1908. She

formerly drew a dependent widow's pension of \$8 per month under the act of June 27, 1890. She never filed a claim under the general law, and no effort has been made to prove that soldier's death was due to the military service.

Claimant is 62 years of age. Evidence filed with this committee shows that she is in poor health and is able to do very little work. She has no property and no means of support other than the pension she is receiving, namely, \$12 per month.

The following letter from the Senator who introduced the bill sets out more fully the condition of the widow:

UNITED STATES SENATE,
COMMITTEE ON COMMERCE, January 29, 1912.

Hon. P. J. McCUMBER,

Washington, D. C.

MY DEAR SENATOR: In reference to the bill (S. 3384) to increase the pension of Lucy R. Stokes I desire to state:

Mrs. Stokes lives at Alexandria, Minn., my home; she is in poor health, and has no income other than her pension of \$12 a month. While she was not the wife of the soldier during his Army service, she married him soon after—October 18, 1870. Mr. Stokes enlisted October 23, 1861, and was honorably discharged September 2, 1865, for disability, serving nearly four years. The soldier never saw Mrs. Stokes, as he was blind at that time as a result of his Army service. It can not be said that she married the soldier for his pension, because he was drawing but \$8 a month at that time. I have been informed that the young lady to whom the soldier was engaged before he went to the war broke off the engagement and refused to marry him when she saw the condition of his eyes upon his return from the Army. Mrs. Stokes lived with the soldier and took care of him faithfully from the date of their marriage, October 18, 1870, until he died, January 17, 1899. I think this case is out of the ordinary, and that your committee ought to take into consideration the fact that this widow married the soldier when he was blind, due to Army service, and at a time when he needed some one to care for him constantly. This certainly ought to outweigh the fact that she was not his wife during his Army service.

I earnestly hope you and the other members of the committee will look with favor upon this meritorious case and report the bill favorably to the Senate.

Yours, truly,

KNUTE NELSON.

In view of the facts as above set forth, showing that this widow cared for the wants of the blind husband soldier practically from the time of his discharge to date of his death, and the fact that she is now old and feeble and destitute, your committee believe they are justified in recommending an increase of her pension to \$20 per month.

S. 3415. Reuben P. McCutchan, of Grand Island, Nebr., was a private in Company A, Forty-second Regiment Indiana Volunteer Infantry. He enlisted September 10, 1861, to serve three years, and was severely wounded and taken prisoner in battle at Chickamauga, Ga., September 20, 1863, and was paroled February 17, 1864, after five months in southern prisons. He was honorably discharged April 29, 1864, on surgeon's certificate of disability, which states as follows:

Gunshot wound of left thigh fracturing neck of femur, received in battle at Chickamauga September 20, 1863. Limb 2 inches short; wound healed. Not able for duty in the field and not physically suitable to enter or enlist in the Veteran Reserve Corps. Disability total.

Soldier is now on the pension roll under the general law for gunshot wound of left thigh at \$24 per month, having been raised at different times from \$6 per month, at which rate he was originally

pensioned from date of discharge. All the evidence on file shows that he is wholly unable to perform manual labor, while the report of his last medical examination shows that he is totally disabled from pensioned cause. The board of surgeons reported in his case in part as follows:

He can walk only a few steps on the level (limping) without crutch or cane. He carries a cane and crutch. He says that he has to use a stout cane all the time and a crutch part of the time. He has almost complete ankylosis of left knee joint. Can only flex knee joint about one-eighth and left knee joint one-fourth. The cicatrix of gunshot wound where ball entered is over trochanter major of left femur, the ball passed inwardly, fracturing the femur and destroying the joint. In our opinion the ball is located in or near the hip joint. Can not feel the ball; no indication that it ever passed out. No evidence of suppuration, only his statement that there was suppuration (about three months) at point of entrance of ball until wound healed, and has never suppurated since. Can not bear weight upon left foot alone without pain in hip; measurement around right hip 25 inches, around left hip 24 inches, midway between right hip and knee 19 inches, around same place, left leg, 17½ inches, around left calf 13½ inches, right calf 13 inches. In our opinion this man is so disabled from gunshot wound of left thigh as to be incapacitated from performing any manual labor on account of his not being able to walk or sit down any length of time; that said disability is permanent; and is entitled to \$30 per month.

It is shown by the evidence filed with this committee that claimant has been greatly crippled since discharge by reason of gunshot wound received in battle, is compelled to use a crutch or cane in walking, and is totally incapacitated for the performance of manual labor. He is 73 years of age, his wife is 72 years old and blind, and they have no property except a small home, and no means of support other than his pension. He was a good soldier and he is a good citizen in poor circumstances. He suffers much pain and inconvenience caused by his crippled condition, and it is believed that he should have increase of pension to \$36 per month, his disability being of service origin.

S. 3416. John A. Larimer, the claimant in this case, is a resident of Kearney, Nebr., and has an honorable military record. He enlisted in the Union Army August 15, 1861, early in the war, and served over four years as a noncommissioned officer in Company C. Thirty-third Regiment Illinois Volunteer Infantry, being honorably discharged November 24, 1865. The pension which he draws at present is \$15 per month under the service act of February 6, 1907. He formerly drew \$10 per month under the act of June 27, 1890. He also filed and established a claim under the general law on account of piles, and was pensioned therefor at \$4 per month from date of discharge, which rate was increased to \$6 from March 2, 1881, and finally to \$8 from December 28, 1887.

This claimant is an old man of nearly 73 years of age. The report of his last medical examination, taken May 17, 1905, showed that he was suffering from piles, rheumatism, disease of heart, left hydrocele, and senile debility, and was totally disabled; and medical and other evidence filed with this committee shows that he is at present wholly unable to perform manual labor. It is further shown that claimant is a poor man, having no means for the support of himself and invalid wife. In view of soldier's advanced age, his long-continued and honorable service, his poverty and total disability for manual labor, the committee recommend increase of pension to \$30 per month.

S. 3448. George Gault was a private in Capt. Chandler's company, National Guards, New Hampshire Militia. He enlisted April 30, 1864, and was honorably discharged July 27, 1864. He is unable to obtain pension through the regular channels at the Pension Bureau for the reason that he did not serve the full period of 90 days, being 1 day short of that period. It appears, however, that he is now well advanced in years, unable to labor, and in needy circumstances. Evidence of a physician filed with this committee shows that claimant is now afflicted with paralysis agitans, tubercular fistula in ano, and arteriosclerosis, and is totally incapacitated for the performance of manual labor, and in a very short time will require the aid and attendance of another person. It is also shown that he is poor, having only a small amount of property and being entirely without income or means of support. Inasmuch as he served nearly 90 days and was honorably discharged, the committee are of opinion he should have pension at \$12 per month.

S. 3457. Hiram Souders, of Clearfield, Pa., was a private in Company H, Third Regiment Maryland Volunteer Cavalry. He enlisted September 4, 1863, and was honorably discharged September 4, 1865, having served two years. He never filed a claim for pension under the general law, but established one under the act of June 27, 1890, and is now pensioned under said act by certificate No. 743712 at \$12 per month, granted him on account of total inability to earn a support by manual labor.

The claimant is now 66 years of age. The report of his last medical examination, taken November 2, 1904, showed that he was so disabled by rheumatism, piles, paralysis agitans, and left inguinal hernia as to be incapacitated for performing any manual labor. Medical and other evidence filed with this committee shows that claimant is at present totally disabled by reason of paralysis agitans in an advanced stage, all the muscles of the body being involved and the muscular tremor severe, and requires the aid and assistance of another person. It is also shown that he is very poor and without property or means and is deserving of relief. His case is worthy of favorable consideration and the committee recommend increase of pension to \$30 per month.

S. 3477. William Simpson was a private in Company E, Fifty-sixth Regiment New York Volunteer Infantry. He enlisted October 12, 1863, and was honorably discharged October 17, 1865, having served two years. He is at present in receipt of a pension under the service act of February 6, 1907, at the rate of \$12 per month. He was formerly pensioned at \$6 per month under the act of June 27, 1890. He never filed a claim under the general law and no effort has been made to connect his disabilities with the military service.

The claimant is 63 years of age. He has not been examined by bureau surgeons for several years, but evidence filed with this committee shows that he is afflicted with rheumatism with frequent attacks of lumbago and sciatica, also heart disease, and a physician and two neighbors testify that he is totally disabled and wholly unable to earn a support by manual labor. It is also shown that he is very poor and without property or income except his pension. In such cases your committee usually grant substantial relief by doubling the pension and increase to \$24 is therefore warranted.

S. 3486. Solon Peterson was a private in Companies B and A, Thirteenth Connecticut Volunteer Infantry. He enlisted May 26, 1862, and was honorably discharged June 26, 1865, having served over three years. He is at present in receipt of a pension under the service act of February 6, 1907, at the rate of \$20 per month. He was formerly pensioned at \$12 per month under the act of June 27, 1890, for total inability to earn a support by manual labor. He never filed a claim under the general law, his disabilities not being traceable to the military service.

Claimant is an old man of over 82 years of age. It is shown by the testimony filed with this committee that he is practically blind from senile cataract and is totally disabled for any kind of labor and is unable to care for himself. It is also shown that he is poor and entirely dependent upon his pension for support. On account of soldier's advanced age, poverty, good record, and total disability, the committee recommend increase of pension to \$30 per month, which is the amount allowed in similar cases.

S. 3496. Aaron Hemingway was a private and corporal in Company B, Thirty-second Regiment Wisconsin Volunteer Infantry. He enlisted August 21, 1862, and was honorably discharged June 12, 1865, having served nearly three years. He was pensioned under the general law at \$4 per month from discharge, \$8 per month from June 20, 1888, and \$10 per month from December 17, 1890, for headache, vertigo, nervous prostration, and disease of heart, results of sun-stroke, admitted to have been of service origin. He is now pensioned at \$12 per month under the age or service act of February 6, 1907. Application for renewal and increase under the general law, filed March 23, 1911, was rejected June 7, 1911.

Claimant was last medically examined May 3, 1911, by a full board of surgeons, who rated him fourteen-eightieths for result of sun-stroke. Evidence filed with this committee is to the effect that claimant is unable to perform manual labor by reason of hemorrhoids, heart disease, and arteriosclerosis. He is nearly 69 years of age and in reduced circumstances and worthy of relief. Acting in his case as we have in similar cases, the committee recommend increase of pension to \$24 per month.

S. 3497. Monroe D. Whitman was a private in Company H, Twelfth Regiment Vermont Volunteer Infantry. He enlisted August 18, 1862, and was honorably discharged July 14, 1863. The pension he draws is \$15 per month under the age or service act of February 6, 1907.

It appears, however, from evidence filed with this committee that he is over 72 years old, and that he is disabled from disease of eyes, indigestion, vertigo, and other infirmities incident to old age, and in consequence of the same is unable to perform manual labor for his support. It also appears that he is in straitened circumstances and worthy and deserving of relief. Acting in his case as we have in similar cases, the committee recommend increase of pension to \$24 per month.

S. 3498. Robert Thom was a private in Company F, Fourth Regiment Minnesota Volunteer Infantry. He served from March 9, 1865, to July 19, 1865, and was honorably discharged. The pension he

draws is \$12 per month under the age or service act of February 6, 1907.

It appears, however, that claimant is 65 years old, and evidence filed with this committee shows that he is afflicted with disease of stomach and bowels and disease of bladder, and is practically unable to perform manual labor for his support. It also appears that he is in reduced circumstances and worthy of relief.

Acting in his case as we have in similar cases, the committee recommend increase of pension to \$24 per month.

S. 3623. Josiah Wood, of Sauk Center, Minn., was a private in Company E, Second Regiment Minnesota Volunteer Cavalry. He enlisted December 24, 1863, and was honorably discharged November 22, 1865, having served nearly two years. He was originally granted pension under the general law at \$4 per month from September 17, 1889, for dyspepsia, admitted to have been of service origin. He subsequently accepted allowance of \$12 per month, under the act of June 27, 1890, and is now pensioned at \$20 per month under the service act of February 6, 1907.

The claimant is an old man of over 83 years of age. The testimony on file in his case shows that he is broken down from rheumatism, heart disease, dyspepsia, and the infirmities incident to extreme old age, and is wholly unable to perform any kind of labor or to do anything by which he might earn a living. It also appears that he is very poor and without means of support other than his pension. His case is worthy of favorable consideration, and the committee recommend increase of pension to \$30 per month.

S. 3676. Manlius Holbrook, the claimant, was a good soldier and has an honorable military record. He enlisted in the Union Army November 11, 1861, in Company E, Second Regiment United States Sharpshooters, to serve three years, and reenlisted as a veteran volunteer December 21, 1863. He was transferred to Company G, Fourth Vermont Volunteers, in February, 1865, and was honorably mustered out July 13, 1865, by reason of the close of the war. During service he bore the rank of private, corporal, and sergeant. He was wounded in right thigh in the Battle of Antietam, Md., September 17, 1862, and again wounded in right hip in battle at Gettysburg, Pa., July 3, 1863.

Soldier was originally granted pension under the general law for gunshot wounds of right hip and thigh at \$4 per month from discharge, which was increased to \$6 from July 21, 1886, and to \$8 from April 1, 1891. The pension which he draws at present is \$12 per month under the service act of February 6, 1907.

It appears, however, from the evidence filed with this committee that claimant has paresis, affecting brain and nerve centers, and that he is totally disabled and has to have constant care and attention day and night. He is absolutely incapable of performing manual labor and has been so for several years past.

He is 67 years of age and in destitute circumstances, being entirely dependent upon his pension for support. His case is worthy of favorable consideration, and the committee are of opinion that he should have increase of pension to \$30 per month, as proposed in the bill.

S. 3677. John A. McFeeters, the claimant in this case, was a private in Company K, Sixth Regiment Vermont Volunteer Infantry, and served from February 26, 1864, to July 14, 1865, when honorably discharged. The medical records show that he received wound of right shoulder at the Wilderness, May 6, 1864, and wound of neck in battle at Charles Town, Va., August 21, 1864, and was treated for typhoid fever in service.

He filed and established a claim under the general law and is pensioned at \$24 per month for gunshot wound of right shoulder, shell wound of neck, and resulting nervous prostration. Claims for increase were rejected February 4, 1902, July 26, 1906, and May 19, 1911. His claim under the general law for results of typhoid fever he has been unable to prove. When claimant was last medically examined, March 1, 1911, he was rated \$8 for gunshot wound of right shoulder, \$17 for shell wound of neck, and \$18 for nervous prostration. The concluding paragraph of the examining surgeons' report was as follows:

This claimant is so disabled from gunshot wound of right shoulder, shell wound of neck, and resulting nervous prostration as to be incapacitated for performing any manual labor, and is entitled to \$30 per month.

He was also reported to be disabled by disease of mouth and throat, disease of heart, liver, spleen, and rectum, alleged to be results of typhoid fever contracted in the service. Medical evidence filed with this committee shows that claimant is totally disabled for the performance of manual labor by reason of gunshot wounds, nervous prostration, disease of mouth, and disease of rectum.

He is 63 years of age and entirely dependent upon his pension for his support. It is believed that his condition is such that increase to \$36 per month is fully warranted. Some of his disabilities are proved to be, and all are probably, the result of his military service.

S. 3689. Edwin Underhill, of 426 Union Street, Portsmouth, N. H., enlisted in the United States Navy October 16, 1862, as a coal heaver; served on the ships *Ossipee* and *Pensacola*, and was honorably discharged May 11, 1864. He is at present in receipt of a pension under the service act of February 6, 1907, at the rate of \$15 per month. He was formerly pensioned at \$8 per month under the act of June 27, 1890. He never filed a claim under the general law and no effort has been made in his case to connect any disability with his naval service.

Claimant is now an old man of over 72 years of age, unable to labor, and in needy circumstances. The following medical affidavit is filed with this committee:

OCTOBER, 1911.

To whom it may concern:

The affiant has been practicing medicine in Portsmouth, N. H., for over 30 years and has been the family physician of Mr. Edwin Underhill for most of that time, a worthy man whom I have treated on several occasions for various complaints, mostly of a neurotic character, as he has a strongly neurotic temperament. At present, at his advanced age (72 years) he feels the effect of these illnesses to such a degree as to greatly diminish his capacity for work, and to excite depressing apprehensions for the future, his last illness confining him to his bed for some time, having a serious effect on his heart's action, rendering him more liable to further attacks and completely incapacitating him for any manual labor, even if not followed by still more serious consequences.

His condition is one of falling physical powers, incidental to age and hard work and intensified by a congenital nervous temperament, the whole placing him in a position always demanding great care and attention to every bodily function and making him peculiarly susceptible to any disease which would be of a more aggravated character than with most people.

A. B. SHERBURNE, M. D.,
Portsmouth, N. H.

STATE OF NEW HAMPSHIRE, *County of Rockingham, ss:*

Subscribed and sworn to this 28th day of October, 1911, before me.

[SEAL.]

EDWIN B. PRIME,
Notary Public, Portsmouth, N. H.

It is also in evidence that claimant has no income from any source except his pension. His application for relief is indorsed by several neighbors, and the committee, acting in his case as we have in similar cases, recommend that his pension be increased to \$24 per month.

S. 3706. James L. Lane, of Bethel, Me., was a sergeant in Company I, Sixth Regiment Maine Volunteer Infantry, and served from July 15, 1861, to September 1, 1862, when discharged on surgeon's certificate of disability on account of phthisis pulmonalis. The pension which he draws at present is \$20 per month under the service act of February 6, 1907. He formerly drew \$12 per month under the act of June 27, 1890, granted him on account of total inability to earn a support by manual labor. His original allowance of pension was under the general law at \$4 per month from discharge and \$6 per month from September 17, 1873, for injury of back and left leg admitted to have been of service origin.

It appears, however, from evidence filed that claimant is over 78 years old, and that he is broken down by the infirmities of advanced age and is no longer able to perform manual labor or to earn a livelihood. It further appears that he is very poor and entirely dependent upon his pension for support. Acting in his case as we have in similar cases, the committee recommend increase of pension to \$30 per month, as proposed in the bill.

S. 3708. Sylvester Abbott, of South Paris, Me., enlisted February 24, 1862, as a private in Company M, Twelfth Regiment Pennsylvania Volunteer Cavalry, and was discharged November 10, 1862, on surgeon's certificate of disability, on account of phthisis pulmonalis. He again enlisted October 5, 1863, as a corporal in Company C, Thirtieth Regiment Maine Volunteer Infantry, and was discharged April 21, 1864, on surgeon's certificate of disability, on account of scrotal hernia, right side. He is in receipt of a pension under the service act of February 6, 1907, at the rate of \$15 per month. He was formerly pensioned under the act of June 27, 1890, at \$8 per month for right inguinal hernia. He was originally pensioned under the general law for right scrotal hernia at \$6 per month, from date of discharge to March 3, 1877, when his name was dropped from the pension roll on the ground that his disability existed prior to enlistment.

Claimant is now upward of 71 years of age. He has not been examined by bureau surgeons since March 1, 1899, when he was rated \$10 for right inguinal hernia, \$6 for disease of heart, \$4 for malarial poisoning, and \$2 for piles. Medical evidence, filed with this com-

mittee, is to the effect that claimant is suffering from chronic intestinal indigestion, heart disease, and arteriosclerosis, and is incapacitated for the performance of manual labor. Neighbors also testify that claimant is unable to labor, and that he has no property and no means of support for himself and invalid wife other than his pension. On account of soldier's age, poverty, and inability to earn a support by his own manual labor, the committee recommend increase of pension to \$24 per month.

S. 3718. William E. Flesher, of Silverton, Oreg., was a private and corporal in Company G, Tenth Regiment Iowa Volunteer Infantry. He enlisted August 3, 1861, and was honorably discharged August 15, 1865, having served over four years. He was a good soldier and has a good record.

He is at present in receipt of a pension under the service act of February 6, 1907, at the rate of \$12 per month. He never filed a claim under the general law, but established one under the act of June 27, 1890, and was formerly pensioned under said act at the rate of \$6 per month.

The claimant is now upward of 66 years of age. He has not been examined by bureau surgeons for several years, but evidence filed with this committee shows that he is totally disabled and wholly unable to earn a support by manual labor. Dr. A. E. Wrightman, of Silverton, Oreg., testifies that soldier is suffering from chronic rheumatism and arteriosclerosis, which render him totally unable to perform any kind of manual labor. Dr. W. S. Mott, of Salem, Oreg., testifies that soldier is suffering from a complication of diseases which does and will prevent him doing any manual labor whatsoever during the remainder of his life; that he is now prostrate and perfectly helpless and in all probability will remain so. Two neighbors testify that claimant is totally disabled for performing manual labor of any kind and is confined to his bed at the present time. It further appears that soldier is poor and without property, except a small home, and with no means of support other than his pension. In view of soldier's advanced age, his long-continued and honorable service, his poverty and grievous physical condition, the committee are of opinion he should have increase of pension to \$30 per month.

S. 3746. Christopher Miller was a private in Company B, Brackett's Battalion Minnesota Volunteer Cavalry. He enlisted March 31, 1864, and was honorably discharged June 1, 1866. He is in receipt of a pension of \$12 per month under the service act of February 6, 1907. He never filed a claim under the general law, but formerly drew \$8 per month under the act of June 27, 1890.

Claimant is now upward of 67 years of age. The testimony accompanying the bill shows that he is afflicted with disease of heart and kidneys, chronic eczema, and piles, and is wholly unable to earn a support by manual labor. It also appears that he is very poor and without means of any kind and in need of relief. Acting in his case as we have in similar cases, the committee recommend increase of pension to \$24 per month.

S. 3792. William A. Pierce was a private in Troop F, Sixth Regiment United States Cavalry. He served three years in the Civil

War, from July 4, 1861, to July 4, 1864, and was honorably discharged. He is at present in receipt of a pension under the service act of February 6, 1907, at the rate of \$15 per month. He never filed a claim under the general law, but formerly drew \$12 per month under the act of June 27, 1890, granted him on account of total inability to earn a support by manual labor.

This claimant is nearly 72 years of age, unable to labor, and very poor. The report of his last examination, taken October 24, 1906, showed that he suffered from varicose veins of both legs, varicocele, catarrh, disease of stomach and rectum, rheumatism, heart disease, right inguinal hernia, and senile debility, and was wholly unable to earn a support by manual labor. Medical and other evidence filed with this committee is to the effect that claimant is totally disabled for performing manual labor by reason of hemorrhoids, varicose veins of both legs, rheumatism, constipation, vertigo, and old age. It also appears that claimant is destitute of property and without source of income other than his pension. On account of soldier's age, poverty, and inability to earn a support by his own manual labor, the committee recommend increase of pension to \$24 per month.

S. 3793. Levi J. Silverthorn served over three years as a member of Company F, First Wisconsin Volunteer Cavalry. The official records show that he enlisted October 21, 1861, and that he was honorably discharged October 31, 1864. He is at present in receipt of a pension of \$12 per month under the service act of February 6, 1907. He was formerly pensioned at \$10 per month under the general law for disease of respiratory organs admitted to have been of service origin. Claim for increase under the general law, filed February 26, 1906, was rejected May 11, 1906.

When claimant was last examined, April 18, 1906, he was rated \$14 for disease of respiratory organs and \$4 for general debility. Medical evidence filed with this committee shows that claimant has spasmodic asthma and bronchitis, emphysema, myocardial degeneration, arteriosclerosis, and chronic changes in the kidneys, and is incapacitated for the performance of manual labor. He is over 68 years of age and in needy circumstances, having but little means for his support aside from his pension. On account of soldier's advanced age, poverty, good record, and inability to earn a support by manual labor, the committee recommend increase of pension to \$24 per month.

S. 3822. Allison Olinger was a private in Company B, Forty-fifth Regiment Kentucky Volunteer Infantry. He enlisted August 12, 1863, and was honorably discharged December 24, 1864. He is at present in receipt of a pension under the act of June 27, 1890, at the rate of \$12 per month for disease of digestive organs and rectum and varicose veins of both legs. He also filed a claim for pension under the general law, alleging service origin of malarial fever followed by disease of back and legs and rheumatism and chronic diarrhea, but this claim he has been unable to prove and has long since abandoned.

It appears, however, from evidence of a physician and neighbors filed with this committee, that claimant is generally broken down from disease and old age, and is wholly unable to perform manual labor of any kind. It also appears that he is 68 years of age and very poor, having no property except a small home, and being with-

out income or means of support except his pension. On account of soldier's advanced age, poverty, and inability to earn a support by his own manual labor, the committee recommend increase of pension to \$24 per month.

S. 3836. Theresia Meyer, of 33 Pearl Street, Pawtucket, R. I., is the widow of Christian F. Meyer, late private in Company F, Second Regiment United States Sharpshooters, who enlisted October 22, 1861, and was killed in battle before Petersburg, Va., February 5, 1865.

She was married to soldier November 2, 1859, and at his death was left with two minor children to support. The pension which she draws at present is \$12 per month under the general law. It appears, however, from evidence filed with this committee that claimant is 80 years of age and in such feeble health that she needs constant attention. Testimony of a physician and neighbors shows that she is afflicted with heart disease, dyspepsia, and debility and is in a broken-down condition generally.

She is entirely dependent upon her small pension for support, having no property or other source of income. In view of claimant's advanced age, poverty, and helplessness and in consideration of the fact that she is a war widow, the committee are of opinion that her pension should be increased to \$20 per month.

S. 3504. Amos L. Burdick, the claimant, enlisted April 17, 1861, as a private in Company I, First Rhode Island Militia Infantry, to serve three months and was honorably mustered out August 2, 1861. He again enlisted May 26, 1862, as a sergeant in Company B, Ninth Rhode Island Volunteer Infantry, and was honorably discharged September 2, 1862. He is at present in receipt of a pension under the service act of February 6, 1907, at the rate of \$20 per month. He was formerly pensioned at \$12 per month under the act of June 27, 1890, for total inability to earn a support by manual labor. His application under the general law, based on chronic diarrhea, was rejected in December, 1904, on the ground that a ratable degree of disability from cause alleged was not shown from date of filing claim.

The claimant is 86 years of age, unable to labor, and very poor. He is afflicted with rheumatism, is partially blind and deaf, and is generally broken down from old age and its attendant infirmities and is not only totally disabled for manual labor, but is more or less a constant care to other persons. It is also evidence that he is dependent upon his pension for the support of himself and wife, having no other source of income. On account of soldier's age, poverty, and total disability, the committee recommend increase of pension to \$30 per month.

S. 3922. John G. Ward, of Marine Mills, Minn., was a private in Company A, Second Regiment Minnesota Volunteer Infantry, and served from March 9, 1865, to July 11, 1865, when honorably discharged. He is at present in receipt of a pension under the service act of February 6, 1907, at the rate of \$15 per month. He never filed a claim under the general law, but formerly drew \$8 per month under the act of June 27, 1890.

Claimant is now upward of 71 years of age. It appears from the report of his last medical examination, taken February 4, 1903, that

he was afflicted with disease of respiratory organs, left femoral hernia, and general debility, and was practically unable to perform manual labor. Medical evidence filed with this committee shows that claimant is feeble and broken down, suffering from lung disease, rupture, chronic arthritis of knee, and other infirmities incident to old age, and is totally disabled for manual labor. Two neighbors testify that claimant is unable to perform manual labor, and that he has no property except a small house worth about \$100, and no other means of support than his pension. On account of soldier's age, poverty, and inability to earn a support by manual labor, the committee recommend increase of pension to \$24 per month; his service was comparatively short, and no greater increase is warranted.

S. 3933. James Gosnel was a private in Company E, Second Regiment North Carolina Volunteer Mounted Infantry. He enlisted September 1, 1863, and was honorably discharged August 16, 1865. He is in receipt of a pension under the service act of February 6, 1907, at the rate of \$12 per month. He never filed a claim under the general law, but formerly drew \$10 per month under the act of June 27, 1890. The claimant is now upward of 67 years of age. It appears from the report of his last medical examination, taken June 6, 1906, that he suffered from rheumatism, heart trouble, piles, impaired sight, and other infirmities of age, and was practically unable to perform manual labor. Medical evidence filed with this committee is to the effect that claimant is totally disabled for performing manual labor by reason of rheumatism, piles, disease of bladder and kidneys, and partial blindness. It also appears that he is financially poor and without means for his support. On account of soldier's age, poverty, and inability to earn a support by his own manual labor, the committee recommend increase of pension to \$24 per month.

S. 3934. Ephraim Hensley, the claimant, was a private in Company E, Second North Carolina Volunteer Mounted Infantry. He enlisted September 1, 1863, and was honorably discharged and mustered out August 16, 1865. He is in receipt of a pension under the service act of February 6, 1907, at the rate of \$12 per month. He was formerly pensioned under the act of June 27, 1890, at \$10 per month. He applied under the general law, alleging incurrence of gunshot wound of right hip in the service, but his application was rejected on the ground that he was wounded when absent from his command and not in line of duty.

Claimant is about 70 years of age. His last medical examination, taken May 22, 1906, showed that he suffered from gunshot wound of back, rheumatism, disease of heart and liver, and senile debility, and the examining surgeon reported in direct terms that claimant was incapacitated for the performance of manual labor. Medical evidence filed with this committee is to the effect that claimant is suffering from gunshot wound of right hip, rheumatism, heart disease, bladder trouble, impaired sight, and other infirmities of age, and is totally disabled for performing manual labor. It also appears that he is financially poor and without means for his support. On account of soldier's age, poverty, and inability to earn a support by his own manual labor, the committee recommend increase of pension to \$24 per month.

S. 3957. Maria Hinchcliff, of Hamilton, Mont., is the former widow of Christian Miller, who served during the Civil War as a private in Company H, One hundred and fifty-third Pennsylvania Volunteer Infantry. Soldier enlisted September 16, 1862, and was honorably discharged and mustered out July 24, 1863. The medical records show him treated during service from April 26 to May, 1863, and June 12, 1863, diagnosis not stated; June 15, 1863, convalescent, and June 26 to July 9, 1863, intermittent fever. He died November 14, 1870, leaving claimant as his widow, with five minor children surviving. It is alleged that the cause of his death was dysentery, contracted in the Army, but the widow can not furnish the necessary evidence to this effect, for which reason her application under the general law was denied at the Pension Bureau.

Claimant was married to the soldier June 26, 1861, and was at home taking care of his children while he was at the front. Since his death she has twice remarried, her last husband, Samuel Hinchcliff, dying January 21, 1896. She is again a widow, in poor health and needy circumstances. She is 68 years of age, and without means of any kind for her support. She was the wife of the soldier while he was in the Army, and her case therefore comes within the rule of the committee in respect to pensioning remarried widows. Twelve dollars per month is the amount allowed in such cases.

S. 4117. Thomas Kehoe, the beneficiary in this case, was a good soldier who served for more than two years during the Civil War. Soldier enlisted June 12, 1863, as private in Company A, Fortieth Regiment Kentucky Volunteer Mounted Infantry, and was discharged December 30, 1864. He again enlisted March 8, 1865, as private in Company I, Fifty-fifth Regiment Kentucky Volunteer Mounted Infantry, and was discharged September 19, 1865, by reason of the termination of hostilities. The service rendered was during the most active period of the war, and the organizations of which this soldier was a member were constantly in the field engaged in the most hazardous and arduous military operations of the war. These regiments of mounted infantry were equipped for both cavalry and infantry service, and their services to a large extent were against the marauding bands of guerillas that infested the mountainous regions of Kentucky and Virginia. They had no permanent camps and were frequently called up to suppress raids at distant points, requiring rides of from 50 to 75 miles without rest, and being constantly exposed to the dangers of ambushes and other guerilla warfare tactics.

From evidence on file with your committee it appears that a short time before his discharge the soldier, with his company, was encamped at St. Louis, and while there contracted malarial poisoning, from which he has been a sufferer ever since and because of which he is now badly disabled. Soldier never applied for pension under the general law, but is pensioned under the act of June 27, 1890, for malarial poisoning and piles, which pension was granted him from October 6, 1890. Further evidence filed with your committee is to the effect that after his discharge soldier engaged in the monument business, but owing to ill health he was not able to give it the attention required, and as a consequence he was able to accumulate but little property.

About 12 years ago his wife became an invalid, and her malady later developed into cancer, which caused her death. In his constant and vigilant efforts during a period of more than 10 years to maintain her life he exhausted all his property and himself became a physical wreck. The wife died in 1909 of this ailment. The constant care, worry, and anxiety of these years brought to him a yet deeper affliction than his own nervous and physical breakdown. His daughter, then a young lady, and the only child, to whom he was devoted, and who had shared with him the onerous burden of attending upon her sick mother, became incurably demented, and the balance of her life must be spent within the walls of a hospital for the insane. Her care and confinement require an expenditure of about \$30 per month, and his efforts to maintain himself and to raise this sum are a heavy drain upon his enfeebled constitution. He has only been enabled to meet this requirement through charitable donations from friends of the soldier, but who are unable to continue them longer.

It is further shown that the soldier has no means of any kind, that he lives alone in a small attic over his shop, and that his physical condition precludes the possibility of his earning his living by his labor and that he has no income but his small pension and the small profits of an occasional order for a monument.

From the evidence on file in the pension office and submitted to your committee it is believed that the disabilities of the soldier are due, to a large extent at least, to his services.

Obligations of the kind mentioned above, resting upon husband or father, have always been considered by the committee as an element in fixing rates in private pension legislation.

In view of the long and honorable service of the pensioner, his present deplorable physical and financial condition, and the further fact of the expense incumbent upon him to pay for the care of his child, your committee feel that they are justified in this case in recommending an increase of his pension to \$50 per month, as proposed in the bill.

S.4154. Robert G. Sleater, of 44 State Street, Salt Lake City, Utah, served during the Civil War as corporal, sergeant, and first sergeant in Company H, Sixth Regiment Iowa Volunteer Infantry. He enlisted July 17, 1861, and was honorably discharged July 17, 1865. He is a pensioner at \$15 per month under the service act of February 6, 1907. He was formerly pensioned at \$10 per month under the act of June 27, 1890. His original allowance was under the general law for disease of lungs of service origin at \$6 per month from November 2, 1898, date of filing application.

Claimant is now upward of 71 years of age. When last examined, August 2, 1905, he was rated at \$12 for disease of lungs, \$12 for disease of heart, \$8 for enlarged prostate, and \$15 for general debility, and the examining surgeons reported in direct terms that he was unable to perform manual labor. Medical and other evidence filed with this committee shows that claimant is broken down by old age and bodily infirmities, and is no longer able to labor for his support. It also appears that he is poor and without property or source of income other than his pension. In view of soldier's advanced age, his honorable service of four years, his poverty and inability to earn

a support by manual labor, the committee are of opinion he should have increase of pension to \$30 per month, as proposed in the bill.

S. 4156. William A. Clovis was a private in Company L, Ninth Regiment Illinois Volunteer Cavalry. He enlisted November 20, 1861, and was honorably discharged November 11, 1864, having served three years. The pension which he draws at present is \$15 per month under the service act of February 6, 1907. He formerly drew \$12 per month under the general law for chronic diarrhea and resulting disease of rectum and disease of lungs admitted to have been of service origin.

It appears, however, from evidence filed that the claimant is 72 years old, and that he is totally disabled from disease and the infirmities of age, and is incapable of doing any kind of work by which he might earn a support. It also appears that he is poor and without property or source of income except his pension. On account of soldier's age, poverty, good record, and inability to earn a support by manual labor, the committee recommend increase of pension to \$24 per month.

S. 4188. William H. Steel served as a private in Company D, First Regiment Delaware Volunteer Cavalry. He enlisted September 20, 1862, and was honorably discharged July 20, 1865, by reason of the close of the war. He was taken prisoner June 14, 1864, and confined at Richmond, Andersonville, and other prisons for over eight months, being paroled February 24, 1865.

He filed and established a claim for pension under the general law, and is pensioned at \$14 per month for disease of throat and chest, results of typhoid fever and prison life. He was first pensioned at \$8 per month from April 5, 1889; increased to \$12 from June 15, 1904, and to \$14 from May 17, 1911.

When claimant was last examined May 17, 1911, by a board of bureau surgeons he was rated \$12 for disease of throat and chest and \$5 for general debility. The examining surgeons reported in part as follows:

The man is not well nourished, skin is sallow, muscles soft and flabby, walks with a cane, and is feeble in his movements.

Medical evidence filed with this committee is to the effect that claimant is practically unable to perform manual labor by reason of catarrh of throat and lungs, chronic indigestion, and diseased heart, no doubt brought about by hardships of southern prison life.

Claimant is 66 years of age and very poor, having no property and no other source of income than his pension. On account of his age, poverty, good record, and inability to earn a support by manual labor, disabilities due to causes of service origin, the committee recommend increase of pension to \$24 per month.

S. 4225. Enoch Adkins was a private in Company H, Fiftieth Regiment Wisconsin Volunteer Infantry. He served from March 11, 1865, to July 28, 1865, and was honorably discharged. He is in receipt of a pension under the service act of February 6, 1907, at the rate of \$15 per month. He was formerly pensioned at \$12 per month under the act of June 27, 1890, granted him on account of total inability to earn a support by manual labor.

Claimant is an old man of 74 years of age. The report of his last medical examination, taken February 10, 1908, showed that he was disabled by heart disease, chronic bronchial asthma, disease of prostate gland, and general and senile debility, and was wholly unable to perform manual labor. Medical evidence filed with this committee is to the effect that claimant is at present totally disabled for the performance of manual labor, by reason of disease of lungs and kidneys, rheumatism, and enlarged prostate gland, and other infirmities of age. It is also shown that he is destitute of property and has no means of support other than his pension. An increase in soldier's pension to \$24 per month is recommended on the ground of his present condition; it is not due to his service, which was comparatively short, and no greater increase is warranted.

S. 4261. William H. Layfield was a private in Company C, Forty-second Regiment Massachusetts Volunteer Infantry. He enlisted July 14, 1864, and was honorably discharged November 11, 1864. He is at present in receipt of a pension under the service act of February 6, 1907, at the rate of \$12 per month. He never applied for pension under the general law, but formerly drew \$10 per month under the act of June 27, 1890. Claimant is now 68 years of age. When last medically examined, November 22, 1905, he was reported to be disabled by disease of heart and stomach, double inguinal hernia, and senile debility, and to be practically unable to perform manual labor. Medical evidence filed with this committee is to the effect that claimant is at present totally disabled for the performance of manual labor by reason of disease of heart, right inguinal hernia, and general debility. It is also shown that he is in destitute circumstances, being entirely dependent upon his pension for support. An increase in soldier's pension to \$20 per month is recommended on the ground of his present condition; it is not due to his service, which was comparatively short, and no greater increase is warranted.

S. 4292. William E. Clarke enlisted August 12, 1862, as a private in Company D, Eighth Kentucky Volunteer Cavalry, and was honorably discharged September 23, 1863. He reenlisted October 20, 1863, as a private in Company G, Fifty-second Kentucky Volunteer Mounted Infantry, and was honorably discharged January 17, 1865. He again enlisted February 27, 1865, as a sergeant in Company D, Seventeenth Kentucky Volunteer Cavalry, and was honorably discharged September 20, 1865. He was originally pensioned under the general law at \$4 per month from December 7, 1881, and \$8 per month from November 27, 1889, for pistol-shot wound of left wrist. He is now pensioned at \$12 per month under the act of June 27, 1890, for total inability to earn a support by manual labor. The claimant is 68 years of age. It appears from evidence filed in his case, including the reports of bureau examining surgeons, that he suffers from pistol-shot wound of left wrist, rheumatism, disease of digestive organs, disease of lungs, disease of rectum, and diabetes, and is wholly unable to perform any kind of labor or to do anything toward earning a support. It also appears from the papers filed in the bureau that he is in destitute circumstances, being entirely dependent upon his small pension for support. On account of soldier's age, poverty, good

record, and total disability, the committee recommend increase of pension to \$30 per month.

S. 4343. William Hodge, of Novinger, Mo., served in the Civil War in Company K, Seventy-ninth Regiment Illinois Volunteer Infantry. He was a good soldier and has a good record, having enlisted August 6, 1862, and being honorably discharged June 12, 1865. During service he bore the rank of private, corporal, and first sergeant. The pension which he draws at present is \$20 per month under the service act of February 6, 1907. He formerly drew \$14 per month under the general law for disease of respiratory organs, admitted to have been of service origin.

It appears, however, from evidence filed with this committee that this claimant is 83 years old, almost totally blind, and otherwise afflicted, so that he is entirely disabled for any kind of labor and requires the constant care of an attendant. It also appears that he is very poor and needy and wholly dependent upon his pension for support. His case is worthy of favorable consideration, and the committee recommend that his pension be increased to \$30 per month.

S. 4344. Julius Cohn, the claimant, was a private in Company B, Sixty-ninth Regiment New York Volunteer Infantry. The official records show that he enlisted October 1, 1864, and that he was honorably discharged June 30, 1865. He is in receipt of a pension of \$12 per month, granted under the act of June 27, 1890, on account of total inability to earn a support by manual labor. His claim under the general law was rejected for the reason that he did not furnish the necessary evidence to show that his disabilities were incurred in the military service.

The claimant is now 67 years of age. It appears from his last medical examination, taken August 8, 1906, that he was disabled by rheumatism, disease of heart and rectum, diarrhea, indigestion, double inguinal hernia, and general debility, and the examining surgeons reported him as incapacitated in a degree equivalent to the loss of a hand or foot for the purposes of manual labor, a degree of disability ratable under the general law at \$24 per month. Medical and other evidence filed with this committee is to the effect that claimant is totally disabled for performing manual labor by reason of blindness of right eye, impaired sight of left eye, and rupture. It also appears that he is very poor and without means of support except his pension. On account of soldier's age, poverty, and inability to earn a support by manual labor, the committee recommend increase of pension to \$24 per month.

S. 4426. Isaac Cutright, of Queens, W. Va., was a private in Company B, Fifteenth Regiment West Virginia Volunteer Infantry. He enlisted August 15, 1862, and was honorably discharged June 14, 1865, having served nearly three years. He is at present in receipt of a pension under the service act of February 6, 1907, at the rate of \$15 per month. He was formerly pensioned at \$12 per month under the act of June 27, 1890, for total inability to earn a support by manual labor.

The claimant is now nearly 75 years of age. The report of his last examination by bureau surgeons, taken October 5, 1904, showed that he was disabled by rheumatism, disease of stomach and left

testicle, loss of right middle finger, disease of kidneys, and general debility, and was wholly unable to perform manual labor for his support. Medical and other evidence filed with this committee shows that claimant is at present entirely helpless from cancer of face and is confined to his house, requiring the constant aid of another person. It is further shown that he is poor and with practically no means of support for himself and aged wife other than the pension he is now receiving. His case is worthy of favorable consideration, and the committee recommend increase of pension to \$30 per month.

S. 4429. Lewis H. Ewart enlisted August 22, 1862, as a corporal in Company E, Thirteenth Regiment West Virginia Volunteer Infantry. He served nearly three years, and was honorably discharged at the close of the war, June 7, 1865. He is at present in receipt of a pension under the service act of February 6, 1907, at the rate of \$15 per month. He was formerly pensioned under the general law at \$8 per month for nasopharyngeal catarrh and resulting slight deafness of both ears, admitted to have been of service origin. Application for renewal and increase under the general law filed October 7, 1910, was adjudicated in December, 1910, at \$12 per month, but no certificate was issued for the reason that claimant was then receiving an equal rate under the service act of February 6, 1907.

This claimant is an old man of over 72 years of age. Evidence filed in his case shows that he is partially blind and deaf, that he is otherwise completely broken down from old age and its attendant infirmities, and that he can no longer perform any kind of labor or do anything toward earning his support.

It also appears that he is very poor and without means of any kind except the pension he is receiving, namely, \$15 per month. In view of the soldier's advanced age, his long-continued and honorable service, his total disability, and extreme poverty, the committee recommend increase of pension to \$30 per month.

S. 4469. John W. Whipple, of Miles City, Mont., was a private in Company F, Thirty-first Regiment Wisconsin Volunteer Infantry. He was a good soldier and has a good record. He enlisted August 9, 1862, and served until the close of the war, being honorably discharged June 20, 1865. The pension which he draws at present is \$15 per month, under the service act of February 6, 1907. He never filed a claim for pension under the general law, but formerly drew \$12 per month under the act of June 27, 1890. It appears from evidence filed with the committee that the claimant is over 73 years old, and that he is in poor health, and broken down from stomach trouble, rheumatism, and other infirmities of age, and is unable to perform manual labor or do anything toward earning a support.

A physician and two neighbors testify as to claimant's total incapacity for labor, and it is also shown that he is a poor man and without property or means of support other than his small pension. On account of claimant's advanced age, poverty, good record, and total disability, the committee are of opinion he should have increase of pension to \$30 per month, as proposed in the bill.

S. 4530. Harriet B. Nichols is the widow of Henry C. Nichols, who enlisted May 2, 1861, at the breaking out of the war, as a private in Company H, First Vermont Volunteer Infantry, to serve three

months and was honorably discharged August 15, 1861. Returning home he reenlisted November 23, 1861, as a sergeant in Company F, Eighth Vermont Volunteer Infantry, to serve three years. He was promoted first lieutenant, Company E, Seventy-third United States Colored Troops, October 8, 1863, and captain March 5, 1864, and was honorably mustered out October 14, 1865, after four years of continuous service. He was a good soldier and has a first-class record, and he was awarded a medal of honor for gallantry at Fort Blakely, Ala., in April, 1865. He was pensioned under the general law at \$10 per month from October 1, 1884, and \$20 per month from March 14, 1888, for malarial poisoning contracted during his service in the Army. He died February 10, 1904, of disease of heart and lungs.

Claimant was married to soldier December 25, 1855, several years before the war. The pension which she draws at present is \$12 per month. She formerly drew a dependent widow's pension of \$8 per month under the act of June 27, 1890. Her application for a pension under the general law was rejected on the ground that her husband's death was shown to have been due to the military service.

Mrs. Nichols is now 75 years of age, in poor health, and in very needy circumstances. Evidence filed with this committee shows that the condition of her health is such that she needs the attendance of another person nearly all of the time. It is also shown that she has no means of support other than the pension she is receiving, namely, \$12 per month. The little home she has, which might possibly sell for \$500, is mortgaged to its full value and she has no source of income except her pension.

In view of the long-continued and distinguished services of the soldier (being promoted from private to the rank of captain) and the claimant's extreme destitution, and in consideration of the fact that she is a war widow, the committee are of the opinion that her pension should be increased to the general-law rate of \$20 per month, as proposed in the bill.

S. 4592. Mattie H. Miner is the widow of Henry C. Miner, who was mustered in April 23, 1861, as second lieutenant with company C, Fifteenth Ohio Volunteer Infantry, and was honorably discharged August 28, 1861. He was again mustered in September 8, 1861, as first lieutenant with Company M, Third Ohio Volunteer Cavalry; promoted captain February 16, 1863, and honorably mustered out November 22, 1864. Soldier died April 11, 1906, of Bright's disease of kidneys. At the time of his death he was pensioned under the act of June 27, 1890, at \$12 per month.

Claimant was married to soldier December 24, 1875. The pension which she draws at present is \$12 per month under the act of April 19, 1908. She formerly drew a dependent widow's pension of \$8 per month under the act of June 27, 1890. Her application for a pension under the general law was rejected for the reason that her husband's death was not shown to have been due to the military service.

Claimant is now 61 years of age. The evidence on file is to the effect that she is in poor health, being afflicted with chronic rheumatism, so that she is unable to earn a living for herself and two daughters, both of whom are suffering from tuberculosis and require almost constant care and watching. That she is poor is evidenced

by the allowance to her of pension under the act of June 27, 1890. She has little means and is practically dependent upon her small pension for support. In view of the foregoing facts, the committee are of opinion that claimant's pension should be increased to \$20 per month, which is the amount she would receive had she been able to prove her husband's death resulted from disabilities contracted in the military service.

S. 4608. Margaret W. Ide is the widow of Horace K. Ide, who enlisted September 14, 1861, early in the war, as a corporal in Company F, First Vermont Cavalry, and was transferred in January, 1862, to Company D, same regiment. He was subsequently appointed sergeant and orderly sergeant of his company, and in November, 1864, was commissioned to the rank of first lieutenant. He was promoted captain May 9, 1865, and was mustered out June 21, 1865, after nearly four years of honorable service. He was a prisoner of war at Richmond, Va., for two months in the summer of 1862, and was severely wounded in action at Buckland Mills, Va., October 19, 1863, and again wounded at Winchester, Va., September 19, 1864.

Soldier was pensioned at the time of his death for gunshot wounds of chest and genital organs and disease of respiratory organs at the rate of \$24 per month. He died of disease resulting from pensioned causes March 31, 1897.

Claimant was married to soldier December 30, 1867. The pension which she draws at present is \$12 per month under the general law, that being the highest rate allowable for the rank held by her husband at the time the disability from which he died was incurred. It appears, however, from evidence filed that the claimant is 65 years of age, and that she is practically helpless from a broken hip sustained last fall, and by reason of which she was confined to her bed for 10 weeks. She is without means of support other than the pension she is now receiving, namely, \$12 per month. Her former husband was Charles P. Chamberlin, who served in the Civil War in Company C, Second Massachusetts Cavalry, and who died in general hospital at Annapolis, Md., of sickness contracted in prison at Richmond, Va. In view of these facts it is proper to give her increase of pension to \$20 per month, which is the rate to which she would be entitled had her husband, Horace K. Ide, reached the rank of captain when his disability was incurred.

S. 4610. George W. Harlow served as a private in Company K, Seventeenth Regiment Vermont Volunteer Infantry. He enlisted September 17, 1864, and was discharged June 28, 1865, on surgeon's certificate of disability because of gunshot wound through neck received in battle before Petersburg, Va., April 2, 1865. He filed and established a claim under the general law for gunshot wound of neck and varicocele of left side and is pensioned at \$17 per month. He was first pensioned at \$4 per month from discharge; increased to \$8 from September 4, 1873; to \$12 from September 5, 1890; to \$14 from March 11, 1891; and to \$17 from January 4, 1899. Claims for further increases were rejected November 10, 1903, and January 14, 1907. His last claim for increase was rejected September 4, 1907, on the ground that his condition was due in part to other than pensioned causes.

Claimant was last medically examined July 23, 1907, by a bureau surgeon, who reported that he (claimant) was totally incapacitated for manual labor by reason of gunshot wound of neck and resulting neuralgia of neck and head and entitled to \$30 per month. The examining surgeon also rated claimant \$10 for total deafness of right ear, \$6 for double varicocele, \$10 for right inguinal hernia, and \$24 for disease of heart. Medical evidence filed with this committee is to the effect that claimant is totally disabled for performing manual labor by reason of gunshot wound of neck and results and varicocele of left side. He is 73 years of age and poor. The evidence of the surgeons seems unanimous in respect to claimant's right to increase of pension, in view of which the committee recommend allowance of \$30 per month.

S. 4650. William H. Hall served in the Civil War as assistant surgeon Thirty-sixth New York Volunteer Infantry. He entered the Union Army December 21, 1861, and was honorably mustered out with his regiment July 15, 1863. The pension which he draws at present is \$24 per month, under the general law, for disabilities contracted in the military service, namely, piles and resulting disease of rectum, chronic diarrhea, and malarial poisoning with resulting neuralgia.

It appears, however, from evidence filed in the Pension Bureau, that claimant is also blind from senile cataracts; that he is afflicted with varicose veins of both legs and disease of heart and kidneys, and is in a most deplorable condition generally, requiring the aid and attendance of another person. It further appears that he is past 73 years of age and in need of the relief which an increase in his pension would give him. In view of the soldier's advanced age, his honorable record in the war, his helpless condition, and necessitous circumstances, your committee are of opinion that increase of his pension to \$50 per month, as proposed in the bill, is just and proper.

S. 4657. Nancy A. Searls is the widow of William T. Searls, who enlisted August 22, 1861, as a private in Company C, Seventh Michigan Volunteer Infantry, and was discharged for physical disability November 22, 1862. He again enlisted February 24, 1863, as a private in Battery A, First Michigan Volunteer Light Artillery, and served until the close of the war, being honorably discharged July 28, 1865. He was pensioned under the general law for disease of bladder and gravel, of service origin, at \$4 per month from date of discharge and \$8 per month from November 11, 1885. He died December 16, 1894, of disease of urinary organs contracted in service and line of duty.

Claimant was married to soldier December 1, 1856, and was his wife while he was at the front. The pension which she draws at present is \$12 per month under the general law, that being the highest rate which she can obtain at the bureau. It appears, however, from the evidence filed with this committee, that she is broken down from old age and impaired health and is physically incapacitated for performing any labor whatever or in any way earning her own livelihood. She is 72 years of age and is without means of support other than the pension she is receiving, namely, \$12 per month. In view of the soldier's long-continued and honorable service and the claim-

ant's extreme destitution and in consideration of the fact that she is a war widow, the committee are of opinion that her pension should be increased to \$20 per month.

S. 4671. Roswell Bradley, of Johnson, Vt., served in the Civil War as a private in Company C, Seventeenth Vermont Volunteer Infantry, and Company G, Second Veteran Reserve Corps. It is shown by the official records that he enlisted January 25, 1864, and that he was honorably discharged July 18, 1865. He filed and established a claim under the act of June 27, 1890, and is now pensioned under said act at the rate of \$12 per month. He filed a claim under the general law December 9, 1889, based on chronic diarrhea and resulting functional disease of heart, and hernia of left side, but this claim was rejected for the reason that he could not furnish the necessary evidence to connect his disability with the military service.

Claimant is now 62 years of age. He has not been examined by bureau surgeons in many years, but evidence filed with this committee shows that he is in a precarious condition of health from heart disease, asthma, and chronic bronchitis, and is not only disabled for manual labor, but is much of the time confined to his house, requiring the care and attention of another person. It is also shown that he is very poor and without means of support other than his small pension. Senator Page, who introduced the bill in claimant's behalf, advises the committee that he knows this man personally, and that his physician believes that he can live but a few months. In view of the foregoing facts, the committee recommend increase of pension to \$30 per month.

S. 4771. Dennis Morean, of Oakdale, N. Dak., was a private in Company C, Fifth Regiment Minnesota Volunteer Infantry. He enlisted February 8, 1862, and was honorably discharged March 10, 1865, having served over three years. The pension which he draws is \$12 per month under the age or service act of February 6, 1907. He formerly drew \$8 per month under the general law for malarial poisoning and resulting spinal irritation, admitted to have been of service origin.

It appears, however, from medical and other evidence filed with this committee that claimant is about 70 years of age, and that he is disabled by malarial poisoning, injury of right side, atrophy of testicles, weak heart, enlarged prostate, and other infirmities of age, and is no longer able to perform manual labor. It also appears that he is in very straitened circumstances, and worthy and deserving of relief. In view of soldier's advanced age, his long-continued and honorable service in the war, his necessitous circumstances and inability to earn a support by his own manual labor, the committee are of opinion he should have increase of pension to \$30 per month, as proposed in the bill.

S. 4775. Mary E. Seaton is the widow of John S. Seaton, late second lieutenant Company G, First Regiment Nebraska Volunteer Cavalry. Soldier enlisted September 25, 1861, and was honorably discharged July 1, 1866, having served nearly five years. He died of heart disease June 1, 1893. At the time of his death he was a pensioner under the act of June 27, 1890, at the rate of \$12 per month.

Claimant was married to the soldier November 25, 1846. The pension which she draws at present is \$12 per month under the act of April 19, 1908. She formerly drew a dependent widow's pension of \$8 per month under the act of June 27, 1890. She never applied for a pension under the general law for the reason that she is unable to prove that soldier's death cause was due to the military service. She is receiving all the pension to which she is entitled under existing laws.

It appears, however, from evidence filed with this committee that claimant is 84 years old and nearly blind, so that she is unable to contribute to her own support. Her physician certifies that claimant is now just able to get around, but that it will not be long before she will be almost totally blind. It is also shown that she is destitute and without means of support except her pension. In view of the soldier's long and honorable service and the claimant's infirmities and destitution, and in consideration of the fact that she is a war widow, your committee are of opinion that her pension should be increased to \$20 per month.

S. 4785. William A. Willis; the claimant, is a resident of Milan, N. H., and has an honorable military record. He enlisted in the Union Army August 14, 1862, and served three years as a corporal, sergeant, and first sergeant in Company E, Fourteenth New Hampshire Volunteer Infantry, being honorably discharged July 8, 1865. He was wounded in right shoulder in battle at Cedar Creek, Va., October 19, 1864, and was pensioned therefor under the general law at \$4 per month from discharge; increased to \$8 from March 9, 1887. Later he accepted an allowance of \$12 per month under the act of June 27, 1890, and is at present in receipt of \$20 per month under the age or service act of February 6, 1907.

It appears, however, from papers filed that the claimant is now in the ninetieth year of his age, and that he is infirm, decrepit, and almost entirely helpless, requiring another person to care for him. It also appears that he is poor and needy and worthy and deserving of relief. His case is worthy of favorable consideration, and the committee are of opinion that he should have increase of pension to \$30 per month as proposed in the bill.

S. 4909. John Burton, of Epworth, Ky., served as a private in Company E, Seventh Ohio Volunteer Cavalry. Was enlisted April 9, 1862, and honorably discharged July 3, 1865, by reason of the close of the war. He is at present in receipt of a pension of \$15 per month under the age or service act of February 6, 1907. He formerly drew \$12 per month under the act of June 27, 1890. He was wounded in right shoulder in battle at Franklin, Tenn., December 18, 1864, for which he was originally granted pension under the general law at \$6 per month from date of discharge.

When this claimant was last medically examined, September 18, 1908, he was rated \$12 for gunshot wound of right shoulder, \$6 for inguinal hernia, and \$6 for hemorrhoids, and the examining surgeons reported that by reason of his disabilities, together with his advanced age, he was totally incapacitated for manual labor and entitled to \$30 per month. Medical evidence filed with this committee shows that claimant is at present suffering from wound of right shoulder,

epilepsy, double hernia, and hemorrhoids, and that his disabilities totally disable him and render him quite helpless. Neighbors testify that claimant is unable to labor, and requires at times the aid of another person, and that he is poor and entirely dependent upon his pension for support. He is 73 years of age. In view of soldier's advanced age, his long-continued and honorable service, his grievous physical condition and extreme poverty, the committee are of opinion he should have increase of pension to \$30 per month as proposed in the bill.

Your committee report the bill favorably and recommend that it pass.

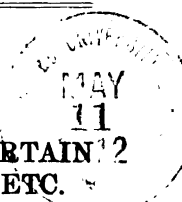


62D CONGRESS,
2d Session.

HOUSE OF REPRESENTATIVES.

REPORT
No. 518. ✓

PENSIONS AND INCREASE OF PENSIONS TO CERTAIN
SOLDIERS AND SAILORS OF THE CIVIL WAR, ETC.



APRIL 11, 1912.—Committed to the Committee of the Whole House and ordered to be printed.

Mr. SHERWOOD, from the Committee on Invalid Pensions, submitted the following

REPORT.

[To accompany S. 5493.]

The Committee on Invalid Pensions, to whom was referred the bill (S. 5493) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of such soldiers and sailors, have examined the same, and adopt the Senate report thereon, and recommend that the bill do pass.



PENSIONS AND INCREASE OF PENSIONS TO CERTAIN
SOLDIERS AND SAILORS OF THE CIVIL WAR, ETC.

APRIL 11, 1912.—Committed to the Committee of the Whole House and ordered to be printed.

Mr. SHERWOOD, from the Committee on Invalid Pensions, submitted
the following

R E P O R T.

[To accompany S. 5624.]

The Committee on Invalid Pensions, to whom was referred the bill (S. 5624) granting pensions and increase of pensions to certain soldiers and sailors of the civil war and certain widows and dependent children of such soldiers and sailors, have examined the same, and adopt the Senate report thereon, and recommend that the bill do pass.



PENSIONS AND INCREASE OF PENSIONS TO CERTAIN
SOLDIERS AND SAILORS OF THE CIVIL WAR.

APRIL 11, 1912.—Committed to the Committee of the Whole House and ordered to
be printed.

Mr. SHERWOOD, from the Committee on Invalid Pensions, submitted
the following

REPORT.

[To accompany S. 5415.]

The Committee on Invalid Pensions, to whom was referred the bill (S. 5415) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of such soldiers and sailors, have examined the same, and adopt the Senate report thereon, and recommend that the bill do pass.



PENSIONS AND INCREASE OF PENSIONS TO CERTAIN
SOLDIERS AND SAILORS OF THE CIVIL WAR, ETC.

APRIL 11, 1912 —Committed to the Committee of the Whole House and ordered to be
printed.

Mr. SHERWOOD, from the Committee on Invalid Pensions submitted
the following

REPORT.

[To accompany S. 5670.]

The Committee on Invalid Pensions, to whom was referred the bill
(S. 5670) granting pensions and increase of pensions to certain sol-
diers and sailors of the Civil War and certain widows and dependent
children of such soldiers and sailors, have examined the same, and
adopt the Senate report thereon, and recommend that the bill do pass.

○

1912

PENSIONS AND INCREASE OF PENSIONS FOR CERTAIN SOLDIERS
AND SAILORS OF THE REGULAR ARMY AND NAVY, ETC.

APRIL 11, 1912.—Committed to the Committee of the Whole House and ordered to be printed.

Mr. DIFENDERFER, from the Committee on Pensions, submitted the following

REPORT.

[To accompany H. R. 23190.]

The Committee on Pensions, to whom was referred sundry bills granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, etc., submit the following report:

This bill is a substitute for the following House bills referred to said committee:

H. R. 4324. Nathaniel L. Lawrence.
7927. Carl H. Ellis.
8363. Daniel A. Guy.

H. R. 18459. Patrick J. Hanrahan.
18750. Louis O. Edgar.

H. R. 4324. Nathaniel L. Lawrence, of Graham, Va., was a private in Company H, Second Regiment Virginia Volunteer Infantry, during the War with Spain, from April 29 to August 15, 1898, when he was discharged on account of disability.

On October 4, 1898, the claimant applied for pension, stating that at Jacksonville, Fla., about June 13, 1898—

while in line of duty on skirmish drill he received an injury to right leg between knee and ankle. This injury was incurred by stepping in a hole while making a forward march on double-quick time.

No evidence was called for or filed, no medical examination was made, and the claim was rejected September 6, 1899, on the ground that the alleged injury of right leg was incurred prior to enlistment, as shown by the records of the War Department.

The War Department records show that no physical defects were noted at enlistment.

The medical records show the soldier—

admitted to regimental hospital, Camp Cuba Libre, Jacksonville, Fla., June 16, 1898. Necrosis left tibia, prior to enlistment. In line of duty, returned to duty June 21, 1898.

It is recited in the certificate of disability upon which the soldier was discharged, by Thomas A. Johnson, first lieutenant commanding the company, that he was recommended for discharge on account of "being lame;" that he had incurred "no disability since entering service;" that the existing disability was "not (incurred) in the service;" that (I) "do not know cause of lameness as he has not received any wounds, bruises, or had any sickness since entering service," and "I have no information regarding wounds except statement of private Lawrence that he received his wounds about 15 years ago in a railroad wreck." That certificate is dated August 9, 1898.

Charles E. C. Peyton, major surgeon United States and post surgeon Second Virginia Volunteer Regiment, certified that he had carefully examined the soldier and found him incapable of duty by "deformity of right ankle, limitation of mobility, lameness resulting from compound comminuted fracture of fibula in accident 15 (years) ago;" * * * "not (incurred) in line of duty," and "under observation three months."

A bill for pension by private act was introduced in the Sixty-first Congress, and, with it, the petitioner filed his discharge certificate, showing him discharged "by reason of physical disability." On the back of said certificate it is stated that the soldier had no distinguished service, was engaged in no battles, engagements, skirmishes, or expeditions, and received no wounds. Following the heading "remarks" one whole line has been erased by a knife eraser, and on the next line appears the words "Since entering service," and signed "Thomas A. Johnson, first lieutenant commanding Company H."

Without other evidence the Committee on Pensions considered the case, and, on May 25, 1910, laid the bill (H. R. 861) on the table.

The petitioner then filed evidence as follows, and the gentleman who introduced the bill requested that a call be made on The Adjutant General for a report showing what the words were which had been erased from the soldier's discharge paper.

James Morrison testified, November 28, 1910, that he was a private in Company M, Fourth Regiment United States Volunteers; was in camp at Jacksonville, Fla., in 1898, and frequently visited the Second Virginia Regiment; was associated with the claimant, and that—

I hereby state that Pvt. N. L. Lawrence received an injury to his right leg while in line of skirmish drilling, which caused it to be very badly irritated and swollen, and he suffered with severe pain in his leg, and at times he could not walk without assistance. * * * His leg now totally disables him from any and all kinds of manual labor.

Thomas W. Coleman testified, November 26, 1910, that he went with the soldier to enlist as a private in Company H, Second Regiment Virginia Volunteer Infantry, but was rejected on account of physical disability; that—

I hereby state that I had known N. L. Lawrence for years, and had been in train service with him railroading. I can say that his leg had not caused him any trouble for 10 years prior to his enlisting. * * * I do state that when he was discharged from the service, on account of physical disability, that he came home with a very badly injured leg, * * * and he is totally disabled from any and all kinds of manual labor.

Elmer A. Cord testified, November 21, 1910, that he was a private in Company H, Second Regiment Virginia Volunteer Infantry, during the war with Spain—

and was with Pvt. N. L. Lawrence in line of duty, skirmish drilling, when he received an injury to his right leg, and he had to fall out of line of drilling, which caused his leg to be very badly irritated and swollen and very painful. He was never able for duty again after receiving this injury. * * * I can state positively that his leg had not given him any trouble until receiving the injury in the line of drilling, as above stated. His injured limb has caused him to be totally unable for any and all kinds of manual labor.

James M. Fisher testified, October 13, 1910, that he was a private in the claimant's company and was with him—

in line of skirmish drill when he received an injury to his right leg, caused by stepping in a hole, which caused him to fall out of ranks, and I hereby state that his leg caused him severe pain and was badly swollen and showed much irritation in a short time, and he could hardly walk without assistance. I also state that I had known said N. L. Lawrence and was associated with him for 10 years prior to his enlisting in the Army, and had never known his leg to cause him any trouble until he received the injury while in line of duty skirmish drilling.

J. M. Sheppard, M. D., of Falls Mills, Va., stated, unsworn, December 3, 1910, that—

This is to certify that I have examined the crippled leg of Mr. N. L. Lawrence, and know it to be broken while in the service as a soldier in Spanish-American War, and that 3 inches of the bone was removed, and he is a permanent cripple from that cause.

Under date of January 10, 1911, The Adjutant General, in response to a request for a report as to the erasures on the soldier's discharge certificate, said:

I have the honor to inform you that it is impossible to ascertain positively from the official records what the erased entry was. The records show, however, the the soldier in question was discharged the service August 15, 1898, by reason of deformity of right ankle, "resulting from compound comminuted fracture of fibula in railroad accident 15 years ago." The commanding officer of the company stated, in the certificate of disability for discharge, that he did not know the cause of the lameness, as the soldier "has not received any wounds, bruises, or had any sickness *since entering service.*" In view of the fact that the words above italicized still remain in the discharge certificate, and evidently formed a part of a complete statement, it is possible that the entire entry was a concise statement of the remarks of the company commander, quoted above, as they appear on the certificate of disability for the soldier's discharge.

Relative to the erasure, the petitioner has stated that the discharge certificate, now on file with the case, is exactly in the form it was when it was given to him at discharge. The petitioner has also stated, in a letter filed with the bill, that—

The rolls will show that there wasn't a blemish marked against me on the rolls; they will show that I was a sound physical able-bodied man; so, after going to drilling on my leg it began to give me trouble, and it got worse all the time until I had to fall out of line of drill—

and—

I can show to you that drilling on my leg caused necrosis of the bone.

In another letter he said:

My leg never gave me any trouble until I enlisted in the Army, in 1898; when I went to drilling on it hard it gave way one morning in line of drill—

and—

I can show you, if you give me a chance to go before a medical board, that drilling on my leg caused necrosis of the bone—

also—

my leg never gave me any trouble for 10 years before I enlisted in the Army and went to drilling on it. I can prove by my comrades that I had to fall out of line over a mile from camp.

Again he said:

I had 3 inches of the bone taken out February 14, 1884. Cause of the trouble: I was hurt on the railroad September 15, 1883. Employed as locomotive fireman; so * * * I can truthfully tell you that my leg had never given me any trouble whatever from the fall of 1886 until I went into the Volunteer service, in 1898.

In another letter he said:

I wish to say to you that I was hurt in a railway wreck, employed as freight brakeman, on September 15, 1883, and had to have 3 inches of tibia bone taken out of my right leg just above the ankle, and my leg got well. The place filled up with hard, callous flesh, and I went back to work in train service.

He claimed at that time—June 8, 1910, that—

There is about 5 inches of the dead bone in my leg now.

The committee did not reconsider the bill in the Sixty-first Congress.

There is filed with the pending bill an affidavit by the petitioner, in which he states that he is wholly incapacitated for earning a support by manual labor—

by reason of necrosis of bone, caused by strain of drilling received while in line of skirmish drill—

that he has no property, and that his annual income from all sources is—

has temporary position paying \$50.

In an affidavit executed August 9, 1911, R. E. McLemore testified that he was a private in the claimant's company, and that—

I hereby certify that Private N. L. Lawrence received an injury to his right leg while out in line of duty skirmish drilling, which caused him to be relieved of all duty.

A. V. Stump testified, August 4, 1911, that he was a private in the claimant's company, and that—

I hereby certify that I was in line of duty skirmish drilling with Private N. L. Lawrence when he received an injury to his right leg, caused by stepping in a hole, which caused him to fall out of line of drill, and he never was able for service again.

George A. Chrisman testified, August 5, 1911, that he—

was a private in Company H, Second Virginia Volunteer Regiment. * * * with N. L. Lawrence, and while in camp, in Florida, Lawrence was crippled and relieved from all duty.

In a statement, unsworn, dated February 19, 1912, C. H. Hogan, M. D., of Graham, Va., says:

This is to certify that I have examined Mr. N. L. Lawrence thoroughly and find him to be suffering from necrosis of the bone of the right leg, caused by stepping in a hole while on a march. The leg apparently heals over for a week or so, except for the discoloration, but then swells up and discharges pus and small pieces of bone. I have known Mr. Lawrence seven years, and know him to be an upright, honest, and industrious man, but he is incapable of doing any

manual labor on account of his leg, and at times can not use it at all, even with crutches.

From the history of this case, your committee are of the opinion that the claimant's alleged disability was contracted in service and line of duty. They respectfully recommend the allowance of pension at the rate of \$12 per month.

H. R. 7927. Carl H. Ellis, of Barnard, Vt., was a soldier during the War with Spain, from November 26, 1900, to November 20, 1903, when discharged by reason of the short remaining term of enlistment for the convenience of the Government. He served in Company D, Eleventh United States Infantry, to October, 1903, when transferred to the casual detachment of that regiment, from which he was discharged a corporal. The greater part of the service, it appears, was performed in the Philippine Islands.

The petitioner applied for pension April 23, 1908, alleging that he contracted chronic diarrhea in February, 1902, which resulted in piles and disease of the nervous system and malarial fever. Also that he then had enlargement of the liver, believed to be a result of Army service. Later he said he first had malaria in June, 1901, diarrhea in February, 1902, followed by piles, and that he began to have trouble with his nervous system in the summer of 1903.

The War Department records show the soldier treated in hospital from February 24 to March 8, and from July 26 to August 1, 1902, for acute diarrhea, in line of duty.

One comrade testified that the soldier was sick with chills and fever for several weeks along about July, 1901, and that since service he had been troubled with chills each year.

L. W. Clough, M. D., testified, November 23, 1908, to 17 years' acquaintance with the claimant, and that prior to enlistment he was a tough, rugged boy; that he examined the claimant March 6, 1908, and found him suffering from the effects of malarial poisoning, with enlargement of liver and spleen, chronic congestion of rectum, hemorrhoids, soft, flabby abdomen, jaundiced skin, tongue furred brownish, and a nervous tremor approaching chorea (St. Vitus's dance). At that time, the witness said, the claimant was practically totally disabled for the performance of manual labor.

E. J. Hickey, M. D., stated that he examined the claimant August 1, 1907, and found him suffering with so-called malarial poisoning, hemorrhoids, dysentery, with some blood; eyes bulging and conjunctiva injected (red); tongue furred brown, fissured, and with slight tremor when protruded; skin sallow, flabby, and inelastic; had a tremor and jerking of the limbs; also flabby abdomen, enlarged liver and spleen. Unable to do a day's work.

C. E. Buchanan, M. D., stated that the claimant came to him the last of August, 1906, and gave a history of malaria. He then was anemic and run down and not able to do a good day's work. His liver and spleen were enlarged and he had hemorrhoids. He did not improve during the following year, while under the observation of the witness.

The claimant was examined by a board of surgeons at White River Junction, Vt., June 3, 1908, which rated him sixteen-eightieths (\$16) for chronic diarrhea, described as follows:

Tongue coated and flabby, fauces red; stomach tympanitic and tender; abdomen tympanitic and tender; liver dullness in nipple line from border of sixth

rib to 2 inches below costal arch; spleen dullness in auxiliary line from upper border of ninth to lower border of eleventh rib.

They found two small internal piles—no rating. They said also:

There is exophthalmic goiter of moderate severity, which accounts for the rapid action of the heart. No other symptom or history of disease of nervous system. Rating seventeen-eighteenths (\$17).

The claim was rejected February 14, 1910; malarial poisoning, disease of liver, piles, and disease of the nervous system because of no record, medical or other satisfactory evidence of origin in service, existence at discharge, or continuance thereafter; diarrhea, on the ground of no medical or other satisfactory evidence showing existence at discharge and continuance thereafter. Piles and disease of nervous system were rejected also because of no ratable degree of disability therefrom since the claim was filed.

Josephus N. Staters subsequently testified that he was a sergeant in the claimant's company, and that some time about June, 1901, the soldier was "having sweating spells." Did not remember of his having anything else the matter with him.

Anthony Balzard, comrade, stated, through correspondence with the War Department in March, 1910, that he remembered the "claimant having chills and fever during the latter part of the year 1901."

One other comrade stated, through the same channel, that the claimant was sick in hospital, but he did not know what disease he had; and another one said he knew the claimant for about one and one-half years; that he was a good-looking man physically, and the witness knew of no illness, complaint, or medical treatment he may have had.

A neighbor testified that the soldier was in good health when he enlisted, and on his return in the spring of 1904 he was not able to do a good day's work; his eyes were bulging from his head, his eyelids twitched, as did his arms and shoulders.

Another said the claimant worked for him in the fall of 1904. He was then in poor health, had an enormous appetite but lost flesh, complained of piles and diarrhea, his eyes were bulging, the eyelids and arms and shoulders were twitching.

Two others jointly testified to prior soundness and that the claimant was feeble on his return from the Army, and has so continued. They understood he had malaria, chronic diarrhea, and rectal trouble.

Reopening of the rejected claim was denied on that evidence, as it did not show origin in service, existence at discharge, or continuance.

No evidence has been filed with the present bill, except the petitioner's affidavit, in which he states that he is in part incapacitated for earning his support by manual labor by reason of malarial poisoning: that he owns no property, real or personal, and that his annual income from all sources is not over \$150. There was filed with a bill in the Sixty-first Congress the affidavit executed January 13, 1911, of a physician, E. J. Hickey, whose testimony in the pension claim is hereinbefore alluded to. In his last affidavit the witness describes the condition of the claimant on the date he testified practically the same as he did before, and says "he has been able to work about one-half of the time about five hours a day at light work."

Other evidence shows that the petitioner is without property and has a wife and child to support.

Although the War Department record shows that the petitioner was 20½ years of age at enlistment on November 26, 1900, there is indisputable evidence in the case showing that he was but 16½ years old at that time, having been born August 3, 1884.

That the evidence in this case shows the service origin of some of the alleged disabilities your committee believe. They respectfully recommend the allowance of pension at the rate of \$17 per month.

H. R. 8363. Daniel A. Guy, of Spring City, Tenn., is pensioned under the general law at the rate of \$10 per month on account of disease of the nervous system, result of typhoid fever contracted as a private in Company G, Sixth Regiment United States Volunteer Infantry, in which he served during the War with Spain from July 2, 1898, to March 15, 1899.

The original pension was allowed April 1, 1904, at \$6 per month from December 21, 1899. The present rate was allowed December 9, 1908, commencing November 11, 1908.

A claim for increase filed June 7, 1910, was rejected August 30, 1910, on the ground that the disability from the pensioned cause did not warrant a higher rating. Disease of head, heart, and eyes, alleged as results, were not so accepted.

The certificate of medical examination on which that action was based was made by a board of surgeons at Rockwood, Tenn., August 3, 1910. They reported: Age, 32 years; height, 5 feet 7 inches; weight, 116 pounds; pulse rate, 100, 110, 130; respiration, 24, 24, 40; temperature, 98½. They said:

We find * * * Increased area of cardiac dullness, apex 1 inch below and to right of normal position. Auscultation reveals a mitral regurgitant murmur. We find marked dyspnea on exertion. * * * slight cyanosis but no edema at this examination, heart's action very rapid and irregular, especially after exercise. Rating, fourteen-eighteenths. We find this claimant very nervous and unsteady. This condition we believe is secondary to disease of heart. Reflexes normal. No disease of head. * * * We find no pathological condition of either brain or spinal cord. No rate. * * * No paralysis or paralysis agitans. * * * General debility. This claimant is in very poor physical condition, not able to do any manual labor; in our opinion, should never go about unaccompanied. * * * Four-eighteenths.

In an affidavit accompanying the bill the petitioner states that he can not perform manual labor by reason of disease of the nervous system, and that his only source of income is his pension of \$10 per month.

Several neighbors corroborate his statement as to his physical condition.

J. M. Clark, M. D., testifies that he examined the pensioner January 11, 1911, and found him suffering with profound neurasthenia; that such condition of weak nerves so influences his system as at times to render him incapacitated for manual labor; that some of the permanent symptoms are marked impairment of vision of right eye, vertigo, and irritable heart; that on active exercise for short time complete blindness ensues with marked cephalic pain and heart beats quicken to 140 or more per minute. Disability total.

J. C. Wasson, M. D., testified that he examined the pensioner January 12, 1911, and found him suffering with disease of nervous system, completely disqualifying him for manual labor; that he has

symptoms of amaurosis as well as neurasthenia, is at times perfectly blind when he attempts manual labor or violent exercise. The witness gives it as his opinion from the history of the case and the present condition that the neurasthenia is a sequel of typhoid fever, and that the disease is progressive.

The evidence in this case convinces your committee that the present rate of pension is inadequate for the degree of disability shown to exist from the pensioned cause. They respectfully recommend the allowance of \$24 per month in lieu of that he is now receiving.

H. R. 18459. Patrick J. Hanrahan, of R. D. 1, Hudson Falls, N. Y., during the War with Spain served as a private in Company C, Forty-third Regiment United States Volunteer Infantry, from October 30, 1899, to July 1, 1901, when mustered out with the company. A part of the service was performed in the Philippine Islands.

He applied for pension June 8, 1910, stating that in March, 1901, in the Philippine Islands, he contracted chills and fever and catarrh, which was followed by disease of stomach.

The claim was rejected March 1, 1911, on the ground of no record, medical, or other satisfactory evidence showing the origin in service, existence at discharge, or continuance thereafter of catarrh, also because of no ratable disability from that cause. It was rejected as to malaria, chills and fever, and disease of stomach because of no medical or other evidence satisfactorily showing existence at and continuance from date of discharge.

The War Department records show the soldier 23½ years of age at enlistment. They do not show any physical defect at that time. He was treated June 15 to 20, 1900, for furuncle on left dorsum back of left foot, diagnosis also shown as acute bronchitis; December 26, 1900, to January 1, 1901, for malarial fever, tertian, intermittent; March 6 to April 4, 1901, for acute orchitis affecting both testicles, gonorrheal, not in line of duty; April 25 to 27, 1901, for chronic orchitis affecting right testicle, not in line of duty.

At discharge the soldier stated that he had no disability of any character; his commanding officer, First Lieut. J. W. Dutton, certified that he had no knowledge of any disability, and a surgeon certified that he had none.

The claimant was examined by a board of surgeons at Glens Falls, N. Y., July 27, 1910. They reported his height as 5 feet 4 inches and weight as 124 pounds. They said:

Poorly nourished, anemic, tongue moist, white, and flabby, skin cachectic, liver and spleen enlarged, abdomen normal, heart apex fifth space to right of nipple line, evident to inspection and palpation, area normal, no murmur or edema or cyanosis, action regular.

Lungs resonant, breathing vesicular. * * *

Liver enlarged, upper border fifth rib and lower margin of ribs, spleen enlarged 1 inch laterally, skin cachectic, conjunctiva tinged yellow. * * *

Digestive functions poorly performed. * * * Twelve-eightieths.

Disease of stomach is indigestion, result of malarial poisoning.

Catarrh, nasopharyngeal catarrh, excessive secretion mucous. * * * No rate. No other disabilities found.

A. W. Lawson testified that he remembered the soldier had chills and fever and catarrh, as he supposed, as it was some kind of head trouble, and disease of stomach, and was sent to hospital, and did not fully recover in service.

Elmer Brew testified that the soldier contracted malarial fever in service and was sent to hospital about March, 1901.

G. H. Dodge and G. B. Henry testified jointly that when the soldier came home from service he was suffering from chills and fever and had stomach complaint, which disabled him nearly all the time "for some time after discharge," and that he is still (in February, 1911) suffering, and at times seriously, from these troubles.

Dr. W. C. Cuthbert testified, January 10, 1911, that the claimant had been at his office for medicine for chills and fever on two or more different dates between 1901 and 1903. Has no record.

Dr. Alex McKee stated, November 14, 1910, that he had attended the claimant for attacks of malaria since 1903, the last attack being in September, 1910, and that he had also treated him for catarrh of stomach and mucous colitis at times during this period.

In an affidavit executed December 18, 1911, the petitioner said that he is not able to perform manual labor more than half the time, and that he does not earn more than \$250 a year.

F. B. Streeter, M. D., testified that he examined the claimant December 18, 1911, and found him suffering with rheumatism, chronic malarial poisoning, and catarrhal condition of throat and stomach; that his spleen is enlarged, and that from these causes he is three-fourths disabled.

Dr. Alex McKee testified, December 5, 1911, that he had attended the claimant for about eight years continually for chronic inflammation of stomach and colon and rheumatism and at intervals for acute exacerbations of this trouble, when he would have acute gastroenteritis, which occur 12 or 15 times during the year and last from 4 to 6 days. He is unable most of the time to perform manual labor.

The evidence in this case satisfies your committee that the claimant is pensionably disabled from causes originating in the military service. They respectfully recommend the allowance of pension at the rate of \$12 per month.

H. R. 18750. Louis O. Edgar, of Beaver Falls, Pa., is pensioned under the general law at the rate of \$6 per month on account of disability from piles contracted as a private in Company B, Tenth Regiment Pennsylvania Volunteer Infantry, in which he served during the War with Spain from April 27, 1898, to August 22, 1899.

The original claim was filed February 25, 1910, and was allowed August 10, 1911, pension commencing on the date of filing.

A claim for increase, filed October 19, 1911, was rejected December 30, 1911, on the ground that the degree of disability shown from the pensioned cause did not justify an increased rate of pension. Aneurysm, alleged as a result of piles, was not accepted as such.

The pensioner was examined by a board of surgeons at New Castle, Pa., November 22, 1911. They reported age 38 years, height 5 feet 7½ inches, weight 159 pounds, and recommended a rating of \$8 per month for piles and results, and \$10 for heart disease.

In an affidavit accompanying the bill the petitioner states that he is 38 years of age, wholly disabled by aneurysm of the aorta and piles; that he owns no real estate, has a small amount of household goods of the value of \$50; and that his income is limited to his pension.

Witnesses, lay and medical, corroborate the claimant as to his financial condition and state that he is wholly disqualified for manual labor by reason of aneurysm of the aorta.

Your committee are convinced by the evidence in this case that the disability shown from the pensioned cause entitles the pensioner to a rate of \$30 per month. They respectfully recommend such allowance in lieu of that he is now receiving.



CAPT. JOHN W. GULICK.

APRIL 11, 1912.—Referred to the House Calendar and ordered to be printed.

Mr. PEPPER, from the Committee on Military Affairs, submitted the following

REPORT.

[To accompany S. J. Res. 90.]

The Committee on Military Affairs, to whom was referred the Senate joint resolution 90, to authorize Capt. John W. Gulick, United States Army, to accept a position under the Government of the Republic of Chile—

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Capt. John W. Gulick, Coast Artillery Corps, United States Army, be, and is hereby, permitted to accept from the Government of the Republic of Chile the position of instructor of the Coast Artillery of the Chilean Army and the emoluments, rights, and privileges pertaining thereto—

having considered the same, report thereon with a recommendation that it do pass.

The committee submits herewith as a part of its report the following letters from the Department of State which give ample reasons for the prompt passage of the resolution:

Hon. WILLIAM SULZER,

Chairman Committee on Foreign Affairs, House of Representatives.

MY DEAR Mr. SULZER: Referring to the President's message of February 29, 1912, now before your committee, recommending the granting of authority by Congress which would enable him to accede to the request of the Government of Chile, that an officer of the Coast Artillery Corps, United States Army, be permitted to serve as an instructor in the Chilean Coast Artillery, I feel confident that your own sense of the good effect which this would have upon our relations with Chile is such that it is unnecessary for me to say anything in that regard or to urge upon you the importance of prompt favorable action on the President's recommendation.

May I, however, bring to your attention the great value we attach to having the authorization by Congress made as broad as possible, for unless the officer to be designated shall be free to become a regular factor in the Chilean Navy, the Coast Artillery Corps in Chile being a part of the Navy, not of the Army as here, and on an equal footing with the German and English officers now employed in Chile, he would undoubtedly be greatly handicapped and his utility, from both the American and Chilean standpoints, would be seriously impaired.

Practically, at least, he should be able to sever, during the term of his contract with the Chilean Government, all connection with the United States Army. For otherwise

if the officer designated was still serving the United States Army while under contract to Chile and did not possess the broad authorization that would enable him to identify himself as completely with the Chilean military institutions as other foreign officers employed in similar duties in that Republic, the inevitable tendency would be to deny to him that full confidence which his foreign colleagues enjoy, and operate to create for him an atmosphere of mistrust, which, regardless of the officer's tact and personal fitness, would render the most efficient service impossible.

Such free and untrammelled service would not, in this department's opinion, be possible under an act similar to that of April 19, 1910, authorizing officers to serve in Cuba and Panama, which provided among other things "that no officer so detailed shall receive any present, emolument, office, or title of any kind whatever from the Government of Cuba or Panama." An act of this character would not suffice for the purposes of the Chilean Government, nor would it meet with the favor of that Government, and it is thought that Chile would not accept an American officer on such a basis.

I am strongly of the opinion that the American expert officer, if designated, should be permitted to accept the amount set aside for the position by the Chilean Government the same as the German and English officers in the Chilean Navy are so compensated; and it is highly desirable that the American officer should enjoy all the advantages, privileges, and perquisites given to the foreign instructors.

I am assured that it will be regarded by Chile as a very friendly act on the part of the United States if the authorization could be given in the fullest terms possible by Congress. Therefore, and for the other reasons stated, the precedent which it is hoped the committee will have in mind when considering the President's recommendation is that in the case of Lieut. Henry R. Lemly, United States Army, who, by joint resolution approved May 2, 1890, was permitted "to accept from the Government of the Republic of Colombia the position of instructor in the national school at Bogota and the emoluments pertaining thereto." This, if enlarged with the insertion after the word "emoluments" of the words "rights and privileges," would fit the case.

The necessity for a broad authorization by Congress is shown in the skeleton contract drawn by the Chilean Government. By article 1 of this skeleton contract to be designated, "agrees to lend his services for the term of three years to the Chilean Navy in the position of instructor or in the branches which constitute the training of officers of the Coast Artillery and to discharge all the duties with which he may be intrusted relative to his profession and by the authorities under whose orders he serves."

Further articles of this skeleton contract provide for his rank, uniform, pay, traveling expenses, leaves of absence, etc.

Very sincerely, yours,

HUNTINGTON WILSON.

MY DEAR MR. HAY: I beg to refer to the President's message of February 29, 1912 (S. Doc. No. 52), recommending the granting of authority by Congress for an officer of the Coast Artillery, and to inclose a copy of Senate joint resolution 90 passed by the Senate on the 20th ultimo, and referred to your committee on March 21.

This department is greatly interested in the early passage of this resolution, for the Chilean Government has already been waiting in suspense for sometime for an answer to its request for the services of such an officer, and it is believed that if Capt. Gulick, who is said to be one of the most efficient officers of the Coast Artillery Corps, be authorized to serve as an instructor in the Chilean Coast Artillery the effect upon the relations of the two countries will be most beneficial.

I venture to solicit your friendly cooperation in this matter, and I hope that we may count upon your support to the end that this resolution be favorably reported by the committee and its passage at an early date.

I beg also to inclose for your information a copy of my letter of the 12th ultimo to Representative Sulzer, Chairman of the Committee on Foreign Affairs, which discusses at some length the necessity for a resolution as broad in scope as that passed by the Senate.

I am, my dear Mr. Hay, very sincerely, yours,

HUNTINGTON WILSON.

MY DEAR MR. SULZER: With reference to my letter of the 12th ultimo, regarding congressional authority for an officer of the Coast Artillery Corps, United States Army, to serve as instructor in the Chilean Coast Survey, I beg to inclose herewith a copy of the Senate joint resolution No. 90, passed by the Senate on March 20, and referred to the Committee on Military Affairs of the House of Representatives the following day.

This resolution is sufficiently broad to be entirely in accord with the desires of this department as expressed in my letter to you of March 12. As the Chilean Government is anxiously awaiting a reply from this department, however, may I solicit your friendly assistance in so far as may be proper, in order that early action may be taken on this matter?

I am writing to Representative Hay, Chairman of the Committee on Military Affairs, inclosing a copy of my recent letter to you, and expressing the hope that the committee may reach an early decision regarding this resolution and may deem it proper to recommend its prompt passage by the House of Representatives.

If you should find it convenient, however, to take a personal interest in the fate of this resolution, I am confident that the possible danger of an unfortunate delay would be averted and the department promptly empowered to relieve the growing suspense of the Chilean Government.

I am, my dear Mr. Sulzer, very sincerely, yours,

HUNTINGTON WILSON.

HON. WILLIAM SULZER,
*Chairman Committee on Foreign Affairs.
House of Representatives.*



62D CONGRESS, } HOUSE OF REPRESENTATIVES. }
2d Session.

REPORT
No. 530.



TO INVESTIGATE THE METHODS AND PRACTICES OF
VARIOUS LINES OF SHIPS.

APRIL 12, 1912.—Ordered to be printed.

Mr. LLOYD, from the Committee on Accounts, submitted the following

REPORT.

[To accompany H. Res. 470.]

The Committee on Accounts, to whom was referred House resolution 470, have had the same under consideration and recommend its adoption.

This resolution provides that the expenses of the Committee on the Merchant Marine and Fisheries, under House resolution 425, authorizing said committee to investigate the methods and practices of various lines of ships, etc., to an amount not exceeding \$25,000, shall be paid out of the contingent fund of the House.

After considering the scope of the investigation proposed and the probable cost thereof, it seems that \$25,000 is not an excessive maximum amount of authorized expenditure, and believing this a proper resolution, its adoption is recommended.



VIOLETION OF ANTITRUST ACT OF JULY 2, 1890.

APRIL 11, 1912.—Ordered to be printed.

Mr. LLOYD, from the Committee on Accounts, submitted the following

REPORT.

[To accompany H. Res. 469.]

The Committee on Accounts, to whom was referred House resolution No. 469, has had the same under consideration and recommends its adoption.

This resolution provides for an expenditure of \$4,000 by the committee appointed to investigate whether there have been violations of the antitrust act of 1890 by the United States Steel Corporation or others.

The committee was first authorized to expend not exceeding \$25,000 and later was authorized to expend an additional \$9,000.

Upon careful inquiry and consideration by this committee it appears that the amounts heretofore authorized have been expended and that to complete the investigation and prepare report of same the amount here asked will be necessary, and believing this a proper resolution have recommended the adoption of the resolution.



SECOND ADDITIONAL CLERK, COMMITTEE ON ENROLLED
BILLS.

APRIL 11, 1912.—Ordered to be printed.

Mr. LLOYD, from the Committee on Accounts, submitted the following

REPORT.

[To accompany H. Res. 463.]

The Committee on Accounts, to whom was referred House resolution 463, have had the same under consideration and recommend the following amendment, viz: After the word "day," in line 5, strike out all the remainder of line 5 and all of line 6, and insert, "during the remainder of the present session of the Sixty-second Congress"; and when so amended that it be adopted.

This resolution provides for the appointment of a session clerk for the Committee on Enrolled Bills. It appears that the work of the committee has grown until the force now employed is not sufficient. It has been the custom to appoint additional clerks for this committee as it became necessary in previous Congresses.

Believing the extra clerk necessary and this a proper resolution, its adoption as amended is recommended.

○

DANIEL B. WEBSTER.

APRIL 11, 1912.—Ordered to be printed.

Mr. LLOYD, from the Committee on Accounts, submitted the following:

REPORT.

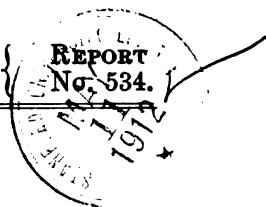
[To accompany H. Res. 292.]

The Committee on Accounts, to whom was referred House resolution 292, have had the same under consideration and recommend the following amendment, viz: In line 3, after word "to," strike out "the executors of the estate" and insert in lieu thereof "Della Webster Simms, Martella Webster Jones, Frances Webster Honesty, Nittie Webster Brogsdale, and Sylvia Webster Barnes, daughters and sole heirs," and that when so amended the resolution be adopted.

This resolution provides for the payment to the daughters of the late Daniel B. Webster, a laborer in the House of Representatives, an amount equal to six months of his salary and not exceeding \$250 for the funeral expenses of the said Daniel B. Webster, deceased.

Believing this a proper resolution and the amount not in excess of that heretofore allowed the families of deceased employees, the adoption of the resolution is recommended.

○



ASSISTANT CLERK, COMMITTEE ON THE JUDICIARY.

APRIL 11, 1912.—Ordered to be printed.

Mr. LLOYD, from the Committee on Accounts, submitted the following

REPORT.

[To accompany H. Res. 354.]

The Committee on Accounts, to whom was referred House resolution 354, have had the same under consideration and recommend that it be amended as follows: At the beginning of line 3 strike out "one thousand six hundred dollars per annum" and insert in lieu thereof "six dollars per day during the remainder of the present session," and that when so amended the same be favorably reported to the House.

This resolution as amended provides for an assistant clerk to the Committee on the Judiciary at a salary of \$6 per day during the remainder of the present session. Your committee made careful investigation, and, it appearing that the Judiciary Committee has before it a large number of bills, resolutions, and matters of proposed legislation, it is thought necessary and proper that additional clerical assistance be provided, and, believing this to be a proper resolution and that another clerk is needed, have recommended its adoption.

○



ROSE McCALL.

APRIL 11, 1912—Ordered to be printed.

Mr. LLOYD, from the Committee on Accounts, submitted the following

REPORT.

[To accompany H. Res. 472.]

The Committee on Accounts, to whom was referred House resolution 472, have considered the same and recommend its adoption.

This resolution provides for the payment of an amount equal to six months' regular pay of the late Thomas J. Danaher as Capitol policeman, and not exceeding \$150 for funeral expenses, to the guardian of the two minor daughters of said deceased.

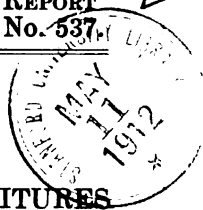
Having considered the provisions of this resolution and the condition of these two minor children, the committee is of the opinion that this is a proper resolution and that it should be adopted.



62D CONGRESS,
2d Session.

} HOUSE OF REPRESENTATIVES. }

REPORT
No. 537.



APPROPRIATION FOR COMMITTEE ON EXPENDITURES IN THE INTERIOR DEPARTMENT.

APRIL 12, 1912.—Ordered to be printed.

Mr. LLOYD, from the Committee on Accounts, submitted the
following

REPORT.

[To accompany H. Res. 474.]

The Committee on Accounts, to whom was referred House resolution 474, have had the same under consideration and recommend its adoption with the following amendment: Strike out, in lines 8 and 9, the words "or any subcommittee of said committee."

This resolution provides for the expenditure of the sum of \$7,500 by the Committee on Expenditures in the Interior Department, in taking testimony in the investigations authorized by House resolution 358, and otherwise complying with that resolution. Considering the scope of the proposed investigations it appears that approximately this amount will be found necessary to properly carry on the work, and believing this a proper resolution its adoption is recommended as amended.

○



GRANTING PENSIONS AND INCREASE OF PENSIONS TO CERTAIN SOLDIERS AND SAILORS OF THE CIVIL WAR AND CERTAIN WIDOWS AND DEPENDENT CHILDREN OF SUCH SOLDIERS AND SAILORS.

APRIL 13, 1912.—Committed to the Committee of the Whole House and ordered to be printed.

Mr. SHERWOOD, from the Committee on Invalid Pensions, submitted the following

R E P O R T .

[To accompany S. 4623.]

The Committee on Invalid Pensions, to whom was referred the bill (S. 4623) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of such soldiers and sailors, have examined the same, and adopt the Senate report thereon, and recommend that the bill do pass.

○

PENSIONS AND INCREASE OF PENSIONS TO CERTAIN SOLDIERS AND
SAILORS OF THE CIVIL WAR AND CERTAIN WIDOWS AND DEPENDENT
CHILDREN OF SUCH SOLDIERS AND SAILORS.

APRIL 13, 1912.—Committed to the Committee of the Whole House and ordered to be
printed.

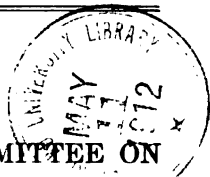
Mr. SHERWOOD, from the Committee on Invalid Pensions, submitted
the following

REPORT.

[To accompany S. 4314.]

The Committee on Invalid Pensions, to whom was referred the bill
(S. 4314) granting pensions and increase of pensions to certain
soldiers and sailors of the Civil War and certain widows and dependent
children of such soldiers and sailors, have examined the same, and
adopt the Senate report thereon, and recommend that the bill do pass.

○



PAYMENT OF EXPENSES INCURRED BY COMMITTEE ON
BANKING AND CURRENCY.

APRIL 13, 1912.—Ordered to be printed.

Mr. LLOYD, from the Committee on Accounts, submitted the following

REPORT.

[To accompany H. Res. 465.]

The Committee on Accounts, to whom was referred House resolution 465, have had the same under consideration and recommend the following amendments, viz:

In line 3, after "429," insert "to an amount not exceeding twenty-five thousand dollars."

In line 5, after the word "by," strike out "the two subcommittees of."

In line 6, after the word "the," strike out the word "respective."

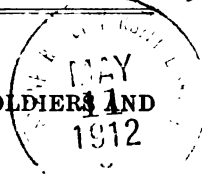
In line 8, after the word "chairman," strike out all the remainder of line 8 and insert the word "thereof."

And further recommend that when so amended the resolution be adopted.

This resolution as amended provides for the expenditure of not exceeding \$25,000 by the Committee on Banking and Currency in making the investigation authorized by House resolution 429, and if the investigation is made thorough it is probable that it will require the expenditure of such sums as would authorize the provisions of this resolution.

After careful consideration, the committee thinks the amount reasonable in view of the magnitude of the undertaking and, believing this a proper resolution, have recommended its adoption.

PENSIONS AND INCREASE OF PENSIONS FOR CERTAIN SOLDIERS AND
SAILORS OF THE REGULAR ARMY, ETC.



APRIL 15, 1912.—Committed to the Committee of the Whole House and ordered to be printed.

Mr. RICHARDSON, from the Committee on Pensions, submitted the following

REPORT.

[To accompany S. 5194.]

The Committee on Pensions, to whom was referred Senate bill 5194, have examined the same and report:

The report of the Committee on Pensions of the Senate, thereto appended, is in part adopted, and the passage of the bill is recommended when amended as set out at the close of this report, the reasons for such amendments there being stated.

[Senate Report 344, Sixty-second Congress, second session.]

This bill is a substitute for the following Senate bills referred to the committee:

S. 523. James T. Brown.
755. John W. Sturm.
775. William A. Hamilton.
777. Thomas McCavan.
877. Archie E. Booth.
1134. Albert F. Reynolds.
1674. Jacob Adams.
1846. John Waalkes.
1954. Harriet J. Bockerman.
1975. Jacob Korby.
2128. James C. Smith.
2271. Ralph W. Ingard.
2631. Harry McFarlin.
3068. Josephine K. Woodson.

S. 3123. Vee Aiken.
3309. Bert Derendinger.
3330. Harry Colpus.
3679. Abner E. Armstrong.
3680. Mealchie Baughman.
3681. Hiram R. McCord.
3682. Mahlon Petree.
3688. Andrew McDonal.
3884. George F. Wallet.
4116. Charles Miller.
4529. Jesse Turrentine.
4766. William F. Pace.
4811. Margaret B. Sherman.

The following are the facts ascertained by the committee concerning the case of each beneficiary in said bills, and the conclusions of the committee as to the proper amount of pension or increase which should be granted:

S. 523. James T. Brown served as a private in Troop K, Seventh United States Cavalry, from September 22, 1898, to May 12, 1899, when he was discharged upon his own application at the close of the War with Spain. He is now pensioned under the general law on account of malarial poisoning at \$8 per month. He was originally granted \$6 per month from February 23, 1901, date of first application, which rate was increased to his present allowance of \$8 per month from May 11, 1910. His claim for further increase, filed July 11, 1910, was rejected September 3, 1910.

The board of surgeons at Charleston, Ind., before whom claimant was last examined August 10, 1910, describe his disability as follows:

Malarial poisoning: Emaciated and debilitated. General condition poor. Skin *sallow, flabby, anemic*. Tongue broad, reddish, coated white, fissured slightly. Tender over liver and spleen. Abdomen retracted. Liver enlarged. Border 2 inches below border of ribs in recumbent posture. Tympany over stomach and transverse and descending colon. Gastric tympany extends to sixth interspace, left side. He states that he has frequent chills followed by fever and sweating, and has severe headaches; aching in bones, back, and shoulders; indigestion, sour stomach, and constipation followed by diarrhea. He states that he passes bilious matter with stools. Rating twelve-eighteenths.

Dr. D. F. Davis, of New Albany, Ind., testifies in affidavit filed with this committee that he has carefully examined claimant and finds him to be a great sufferer from malarial poisoning, resulting in disease of stomach, liver, and spleen, and that from the sum of above disabilities claimant is wholly incapacitated for the performance of any and all manual labor.

Claimant is 35 years old and is shown to be in needy circumstances and without means for his support. It is believed that the evidence establishes his right to a higher pension, and your committee recommend increase to \$12 per month.

S. 755. John W. Sturm enlisted May 19, 1898, for service in the War with Spain as a private in Company K, Third Regiment Tennessee Volunteer Infantry, and was mustered out January 31, 1899. He filed his first application for pension December 27, 1899, alleging the incurrence of an injury to right eye at Anniston, Ala., in December, 1898. He filed a second application January 13, 1903, alleging service origin of rheumatism, stomach trouble, and neuralgia in the head, also realleging the injury to right eye.

The medical records on file in the War Department show that claimant was treated in service for acute coryza (cold in head), headache, pharyngitis, constipation, gastric indigestion, and acute bronchitis. The records also show he was on sick furlough from October 17 to November 28, 1898.

The evidence indicates that soldier was sound when he entered the service. He himself frankly admitted that he was subject to what is commonly known as sick headaches from his youth up and that he had pneumonia within two years prior to his enlistment. Aside from the formal examination at enlistment there is testimony of neighbors and others to the effect that he was then apparently in good health and free from disability.

There is evidence in the case, given by comrades and others before a special examiner of the Pension Bureau, showing that claimant was sick with stomach trouble and suffered from rheumatism during service and was in bad health during the last two months before his discharge. All the witnesses are of good repute and give their testimony in a straightforward manner. Claimant's wife and mother-in-law testify that he had rheumatism and stomach trouble during his furlough and was in bad condition generally at discharge, and there is evidence on file to show that he has been in poor health since his return from the Army, suffering from rheumatism and stomach trouble, and has been more or less disabled for manual labor. Dr. W. H. Hawkins testified that he commenced treating soldier about four years after discharge for sciatica, neuralgia in the face, and

stomach trouble, and that these troubles have been present in a more or less severe degree up to the present time.

Claimant was first examined by a board of surgeons May 4, 1904, and rated \$4 for rheumatism and \$6 for disease of stomach. He was again examined February 9, 1910, by a full board of surgeons, who rated him \$6 for disease of stomach and \$6 for rheumatism. The Commissioner of Pensions rejected the claim on the ground that the evidence on file fails to show that disease of stomach was incurred in service and line of duty and on the ground of no record or other satisfactory evidence to show service origin and continuance of rheumatism, neuralgia of head, and injury to right eye, notwithstanding which your committee are of opinion that the evidence fairly justifies the conclusion that claimant's disability from rheumatism and disease of stomach is due to his Army service, and that he should have a pension of \$12 per month. He is 39 years old, very poor, and without means of any kind.

S. 775. William A. Hamilton enlisted May 19, 1898, for the war with Spain as a private in Company F, First Regiment Tennessee Volunteer Infantry. He served for a considerable time in the Philippine Islands and was honorably discharged with his company at San Francisco, Cal., November 23, 1899. In his claim for pension, filed December 2, 1899, he alleged that he contracted diarrhea, dysentery, disease of digestive organs, disease of rectum, and piles, in the Philippine Islands in 1899, and catarrh and disease of throat and lungs in San Francisco in 1898. The claim was finally rejected May 14, 1909, on the ground of no record and claimant's inability to prove service origin of disease of lungs and on the ground of no ratable disability since filing application from diarrhea, dysentery, disease of digestive organs, piles, disease of rectum, and disease of nose and throat. Additional affidavit was filed in August, 1909, but the bureau held that same was insufficient to warrant reopening of claim.

The medical records on file in the War Department show that claimant was treated at various times during service for malarial fever, acute diarrhea, measles, hives, slight burn left hand, and severe eczema both feet. On examination preliminary to muster out he declared, however, that he was not suffering from any disability, in which he was corroborated by his captain and the Army surgeon who examined him.

In support of his claim soldier filed the affidavit of Lieut. R. M. Milam, who states that soldier was confined to hospital with measles in the latter part of June, 1898, and after release from hospital complained of trouble in breathing and affiant had him detailed as company clerk in order to relieve him from drill; that soldier seemed to have trouble in breathing from that time on whenever he was subjected to any unusual exertion; and that his physical condition should have been noted on his muster out, as it was far from good.

John H. Milam, comrade, testified he was soldier's tent mate until the latter was taken sick at San Francisco about June or July, 1898, and sent to some hospital; that affiant understood soldier had the measles and that they settled on his lungs and he was not able to do regular duty, but was made company clerk; that affiant never heard soldier complain of his lungs before enlistment, but has heard him complain frequently since then.

John H. Samuel, comrade, testified that he recollects soldier being confined to hospital at San Francisco and heard and understood and believed he had measles; that soldier was made company clerk when he returned and was regarded as one of the weakest men in the company, and that soldier was healthy, active, and stout previous to enlistment.

Claimant was first medically examined January 2, 1907, but was not rated for any disability, although slight indications of lung trouble were reported. When again examined, July 1, 1908, he was rated at \$10 for disease of lungs, \$4 for diarrhea and disease of rectum, \$2 for dhobie itch, and \$2 for rheumatism.

The following is the evidence filed with this committee:

1305 LAUREL STREET,
Nashville, Tenn., March 21, 1910.

I certify that Andy Hamilton was a private of Company F, First Tennessee Volunteer Infantry, of which company I was first sergeant from May 19, 1898, to October 15, 1898. That Hamilton was taken sick with measles some time in June, 1898, and was returned to light duty with the company in July, after being sick about two weeks. For a few days he was carried on light duty and was then marked full duty. Immediately on being marked full duty he was turned out for the routine work of the company, but was not physically able to stand it and had to fall out daily from the drills, being in a very weakened condition. He showed no improvement, and for several days I sent him to the surgeon at sick call, but he was just as often returned for full duty with the company. We were camped in what was then known as the Sand Lots, at San Francisco, Cal., and the fogs at night were frequent and heavy. I know he had a bad cough from the time he was sick in June up until October 15, 1898, when I was promoted and no longer had occasion to pay special attention to him. I believed that the man's health was too badly impaired for him to do full duty and had him detailed as my company clerk, this position at that time excusing him from all duty. I was under the impression then, and still am, that this detail saved the man's life. I believed then, and still believe, that his sickness, combined with the location of the camp, the heavy fogs, and bad weather permanently impaired his health and injured his lungs. From the time he was returned to the company until October 15, 1898, he was under my observation daily. I believe him entitled to a pension. This to the best of my recollection and belief.

ALVIN K. BASKETTE,
Captain, Ninth Infantry.

NORVELL-SHAPLEIGH HARDWARE CO.,
St. Louis, Mo., March 9, 1910.

To whom it may concern:

This is to certify that I knew William A. Hamilton, formerly a member of Company F, First Tennessee Volunteers, for several years prior to his joining the Army; that he was strong and healthy and was capable of doing and did do manual labor; that I knew him during his enlistment in the First Tennessee and that he suffered a spell of sickness during June or July, 1898; that after his return to duty he complained of not being well and of his lungs troubling him; that he was given light duty, being made company clerk, where his work was very light and easy; that I have known him since his discharge from the Army and have heard him complain of his lungs hurting him and that in my opinion he is not capable of doing manual labor.

I hereby make affidavit that the statements hereinabove set forth are to the best of my knowledge and belief true.

GEORGE S. MALONE,
Formerly Corporal, Co. E, 1st Tenn. Vol.

STATE OF MISSOURI, *City of St. Louis, ss:*

Subscribed and sworn to before me this 9th day of March, 1910. Witness my hand and seal.

[SEAL.]

C. W. FITCH, *Notary Public.*

Term expires July 21, 1912.

The claimant is 35 years old and very poor. Giving him the benefit of the doubt only in part, the committee recommend allowance of pension of \$12 per month.

S. 777. Thomas McCavan served in the Regular Army as a private in Company D, Sixth United States Infantry, from April 7, 1876, to November 15, 1877, on which date he was discharged on surgeon's certificate of disability on account of—

Decided feebleness of constitution and incontinence of urine which have not yielded to treatment. Disease contracted in the line of duty. Disability, one-half.

He was pensioned under the general law at \$4 per month from October 21, 1889, and \$8 per month from January 29, 1892, for disease of urinary organs admitted to have been of service origin. On November 4, 1892, his rate was increased to \$12 per month, which he drew until June 6, 1898, when his name was dropped from the rolls because of his enlistment in the War with Spain as a private in Company B, Fourth United States Volunteer Infantry. He served in this latter organization one year and was discharged June 8, 1899.

Claimant has been refused restoration of pension on the ground that since the dropping of his name from the rolls he has not been suffering from his former pensioned disability. He also applied on account of rheumatism and asthma, alleging that he contracted the same in the War with Spain, but his application was rejected on the ground that the papers showed he suffered from those disabilities subsequent to his first discharge and before his second enlistment.

The records of the War Department show that claimant was treated at several times during last service for malarial fever, acute muscular rheumatism, and acute bronchitis. His medical examinations made at different dates prior to his reenlistment showed successively lumbago, rheumatism, and disease of heart, weak spine and results, and asthma, and disease of urinary organs. Since his last discharge his several examinations have shown lumbago, asthma, and rheumatism. On his last examination, taken September 7, 1910, he was rated \$10 for rheumatism.

Evidence filed with the committee is to the effect that claimant suffers from rheumatism, heart disease, eye trouble, and asthma, and is more or less disabled for manual labor. He is 59 years of age and very poor. It is believed that his health has been impaired by reason of his service in the Army, and restoration of his former pension of \$12 is recommended.

S. 877. Archie E. Booth, the claimant, was a private in Company D, Third Regiment Wisconsin Volunteer Infantry. He served during the War with Spain from April 28, 1898, to January 16, 1899, and was honorably discharged. He is at present in receipt of a pension of \$6 per month for disease of rectum admitted to have been of service origin. He also applied on account of rheumatism, but the Commissioner of Pensions rejected the application on the ground that a ratable degree of disability from that cause was not shown from date of filing.

The medical records on file in the War Department show that claimant was treated in service from October 4, to 21, 1898, for

typhoid fever. On his examination preliminary to discharge he stated that he had piles, first noticed October 21, 1898, and the examining surgeon certified to the existence of that trouble.

The evidence shows that claimant was sound at enlistment and that within a few months after his discharge he suffered from rheumatism, which has continued more or less to the present time. The board of surgeons before whom he was first examined August 5, 1903, rated him \$4 for rheumatism and \$4 for heart disease. A second board of surgeons on December 19, 1906, rated him \$6 for rheumatism and \$8 for heart disease. On his last examination, March 19, 1908, he was rated \$6 for disease of rectum, \$6 for rheumatism and \$8 for heart disease. Medical evidence filed with this committee is to the effect that claimant is practically unable to perform manual labor by reason of heart disease, constipation, indigestion, and hemorrhoids. He is 43 years of age and very poor. We think the weight of evidence indicates claimant's rheumatism to be due to the military service and that his pension should be increased to \$12 per month.

S. 1134. Albert F. Reynolds was a private in Company C, Sixteenth United States Infantry. He enlisted April 29, 1898, for service in the War with Spain and was honorably discharged January 18, 1899. He was with his regiment in Cuba in July and August, 1898. He applied for pension March 14, 1899, from which date he obtained an allowance of \$6 per month for malarial poisoning. On September 9, 1898, his rate for same disability was increased to \$10 per month, which is the pension he is now receiving.

Claimant also applied on account of rheumatism and resulting disease of heart and nervousness. The Commissioner of Pensions finally rejected the claim on the ground that he had rheumatism before he enlisted. The only evidence of prior existence of rheumatism is contained in a report from the War Department to the effect that soldier at enlistment stated he had rheumatism "three years ago." On the other hand, we have filed with this committee evidence of two physicians and neighbors showing that soldier was sound when he entered the Army, and we assume that he had recovered from any rheumatism he may have had prior thereto; otherwise the Army surgeon, with his attention especially directed thereto, would have discovered such trouble if the same existed when claimant presented himself for examination. That he did not seems proved by the fact that he accepted claimant as sound and fit for service as a soldier.

The official hospital records show that soldier was treated in service from December 5, 1898, to January 20, 1899, for acute muscular rheumatism contracted in line of duty, and there is ample and full evidence of continuance since discharge. This evidence is that of neighbors and physicians by whom he had been treated. He has also suffered since discharge from some nervous trouble like paralysis agitans, which soldier states came on during service, and the evidence on file indicates that such was the case.

The certificates of claimant's medical examinations, eight in number, made at various dates, commencing as soon after discharge as May, 1900, establish the continuance of his disabilities. When last examined February 9, 1910, he was rated \$12 for malarial poisoning, \$2 for rheumatism, and was reported to be also suffering from mus-

cular tremor of hands and arms, for which no rating in figures was given. Evidence of a physician filed with the bill is to the effect that claimant is suffering from rheumatism, heart disease, malarial poisoning, and nervousness and is practically unable to perform manual labor. The evidence sustains the soldier's claim that his disabilities are due to his service, and your committee are of opinion that a pension of \$16 per month is a just and equitable allowance.

S. 1674. Jacob Adams served from April 13, 1873, to April 13, 1878, in Company H, Seventh United States Cavalry, and during this period participated in several expeditions against hostile Indians and was subjected to great exposure in cold and inclement weather in the then Dakota Territory. In his original application for pension filed May 7, 1885, he alleged that in January, 1874, while driving an ambulance from Fort Rice to Fort Seward, Dak. T., he had both feet and fingers of both hands badly frozen or frost bitten. In later applications he alleged disease of heart, lungs, liver and spleen, and rheumatism. The claim was admitted for injury of hands and feet, result of frostbite, at \$4 per month from May 7, 1885, which rate was increased to \$6 from September 14, 1887; to \$8 from October 17, 1888; to \$10 from August 28, 1889, and finally to \$12 from February 5, 1908. The claim for the other disabilities was rejected on the ground that the evidence was insufficient to prove their origin in the military service.

In support of his claim soldier filed medical and other testimony to show that since his service he has been in poor health. There is no question but that he has suffered much from frostbite of both hands and feet and his medical examinations, of which he has had as many as 12, clearly establish this disability. Some of these examinations show also rheumatism and heart disease. His last medical examination, taken February 5, 1908, shows his disability as follows:

Right hand: Slightly edematous to-day. Ankylosis first joint ring finger. Ankylosis first joint little finger. Partial ankylosis and enlargement first joint middle finger. Partial ankylosis and enlargement second joint middle finger. Enlargement of two phalanges middle finger and very tender. Enlargement first joint of index finger (partial ankylosis). Enlargement second joint of thumb (partial ankylosis). Almost complete loss of grip of hand.

Left hand: Thumb normal. All joints in index finger ankylosed (complete). All joints in middle, ring, and little fingers partially ankylosed. Hand can not be closed.

Right foot: Callous ball of great toe. Callous ball of foot. Partial ankylosis of instep and all joints of toes. Loss of motion three-fourths. Nails on all toes white like chalk and very brittle.

Left foot: Callous ball of great toe. Callous ball of foot. Partial ankylosis of instep and all joints of toes. Loss of motion three-fourths. Nails of toes not quite so white and brittle as its fellow.

Heart: Action of heart rapid, feeble, and irregular. Apex beat found by palpation 1 inch below nipple line. Cardiac area extends downward and to left; has dilatation, slight cyanosis, and dyspnea. Edema in both hands.

In supplemental report dated January 29, 1909, the examining surgeons stated as follows:

It is not an easy matter to differentiate between frostbite and rheumatism in the above case. Taking his word that his feet and hands itch, sting, and burn about those large calloused parts is evidence to this board that he has injury from frost-bitten hands and feet; again the loss of nails, the chalky brittle condition of nails, rough and corrugated nails, burning and itching of hands and feet at night so badly do they hurt that he is compelled to put out from under cover, even in winter weather, before he can rest. Right hand edematous to-day; not painful on passive motion; left hand not swollen. Ankylosis of joints in fingers and partial in both insteps; none of

these give pain on attempt to move. Loss of motion both insteps and ankles three-fourths. Loss of motion both wrists three-fourths. Can not grip anything; in fact, can not close left hand. Those large callous folds of skin, great toes, balls of feet and heels can not be results of rheumatism. These exist and are larger and harder, more painful, than on his (February 5, 1908) former examination. This board is led to believe that (and say) that claimant has rheumatism in both hands and feet, as well as effect of frostbite.

Dr. Loren Hoover, of Decker, Ind., testifies in affidavit filed with this committee that soldier is totally disabled by frostbite of hands and feet incurred in the military service. The medical authorities of the Pension Bureau are of the opinion, however, that a part of the disability is due to rheumatism, not legally accepted as due to service, although the evidence indicates that the latter trouble was most probably induced by exposure and hardships of campaign life while he was in the Army.

The claimant is now about 59 years of age and is shown to be poor and needy and without means for his support. It is believed that his condition from disabilities incurred in the service warrants increase of pension to \$20 per month.

S. 1846. John Waalkes, the claimant, was a private in Company C, Thirty-fourth Michigan Volunteer Infantry, War with Spain, and served from May 13, 1898, to December 14, 1898. He was with his regiment during the campaign before Santiago de Cuba and in an application for pension filed December 3, 1908, alleged that while there he contracted typhoid and malarial fever.

The records of the War Department show that claimant was treated in July, August, September, and the early part of October, 1898, for malarial fever and dysentery and typhoid fever. He was examined May 19, 1909, by a full board of surgeons, who reported a disability of right foot which they said might be due to malarial poisoning, and for which they recommended a rating of eight-eighteenths. The Commissioner of Pensions, however, rejected the claim on the ground that a ratable degree of disability from typhoid or malarial fever was not shown to exist.

We find among the papers in the Pension Bureau the affidavit of Capt. Frank C. Whitney of soldier's company, who avers that claimant served with his company during the campaign in Cuba, returning with them to Montauk Point, and was taken sick on transport, transferred to General Hospital at Montauk Point, August 27, 1898, and was left there when the company returned to their home station, and that to his personal knowledge claimant has been sick and unable to work a good deal of the time since his discharge, and is so at the present time. Also, the certificate of Dr. John Vanderlaan, who states that he personally attended soldier soon after his discharge from the Army and more particularly in the month of October, 1899; that soldier was then suffering from malarial infection contracted during his Army life. Also, certificate of Dr. P. J. Sullivan, dated June 24, 1910, who states that he has been attending soldier for mental disease; that his condition remains about the same continually and is unable to perform any work of any kind properly, or to follow his usual occupation; that without a reasonable doubt he is permanently disabled, and that the remote cause was malaria and typhoid poisoning he incurred during the Spanish-American War.

We append to this report the affidavit of claimant's lieutenant colonel, captain, comrades, and others, setting forth at greater length

his soundness at enlistment, his sickness in service, and his impaired health and disability since discharge, and with these affidavits we find the following letter from Hon. J. C. McLaughlin, a Member of Congress from Muskegon, Mich., who, it appears, has personal knowledge of many of the facts in the case:

HOUSE OF REPRESENTATIVES,
COMMITTEE ON AGRICULTURE,
Washington, D. C., January 26, 1911.

COMMITTEE ON PENSIONS,
House of Representatives, Washington, D. C.

GENTLEMEN: Permit me to call your attention to H. R. 31701, a special pension bill introduced by me for the relief of Mr. John Waalkes, who served as a member of Company C, Thirty-fourth Michigan Infantry, War with Spain.

I am very much interested in this bill. I know Mr. Waalkes intimately. I knew him before he enlisted for service in Cuba, and have been very familiar with his condition and circumstances since he returned home. At the time of his enlistment he was strong and vigorous, the very picture of health. He returned sallow, emaciated, and evidently completely broken in health. He tried to resume the work in which he was engaged before his enlistment, but was not strong enough to do very much. He is now in a deplorable condition, evidently the result of malaria and perhaps tuberculosis contracted during his service as a soldier. He is and for many months has been confined to his home, much of the time confined to his bed under the care of a physician, at least receiving medical attention to the extent of the ability of his family to provide it. He has suffered amputation of a portion of one of his feet, and is otherwise a physical wreck. His mind also is seriously affected. He evidently has little, if any, control over his bowels or bladder, the result of his serious physical and mental condition. He is unable to do anything for himself. He is unable even to dress or feed himself, and requires the constant attention of members of his family. I have been told by physicians and others who have attended him that he is permanently disabled, and that he is a mental and physical wreck.

Much of what I have said in regard to Mr. Waalkes is from intimate acquaintance with and actual personal knowledge of him. I have no hesitation whatever in saying that he is in a deplorable condition and in absolute need of the help I am seeking for him by special pension act. He has no property and no income whatever. I know other members of his family intimately, and there is not one of them who is able to help him.

As I understand the rules governing your committee in pension cases, Mr. Waalkes is entitled to a pension of at least \$36 per month because he needs the constant care and attention of an attendant. He is neither mentally nor physically able to take care of himself. His own safety and the safety of those about him make the presence and care of an attendant absolutely necessary.

I shall be pleased, if necessary, to appear before the committee and testify as to the merits of this claim.

Very truly, yours,

J. C. McLAUGHLIN.

It is believed that the record and other evidence on file establishes the claimant's right to a pension of \$30 per month.

STATE OF MICHIGAN, *County of Muskegon, ss:*

John R. Bennett, being duly sworn, deposes and says: I reside in the city of Muskegon, Mich., where I have lived for more than a quarter of a century. I enlisted in the Spanish-American War and was lieutenant colonel of the Thirty-fourth Regiment Michigan Volunteer Infantry, and served with the regiment during the entire time it was in Cuba, returning on the same transport with it to New York. I knew John Waalkes, of Company C of that regiment, and had known his family for many years prior to the breaking out of the Spanish War, they being well known and prominent citizens in Muskegon for many years. I remember that said Waalkes enlisted in said Company C, and that he was then a strong and vigorous boy, but that soon after his company reached Cuba he became sick with dysentery and rheumatism and was disabled from military duty during a portion of the time spent in Cuba. That when said Company C reached Montauk Point, on its return from Cuba, said Waalkes was so sick that he was sent to the hospital, where he was confined a short time, and later

sent to the so-called Helen Gould Hospital in New York, where he was treated for several weeks before he was able to return to his home in Muskegon. That on his return home said Waalkes was still very poor in flesh, very weak and yellow skinned, and has been in poor health ever since. That affiant has fully investigated the physical and mental condition of said Waalkes and knows that he is suffering from tuberculosis and has already lost a portion of his right foot as the result of such affliction, and that he is now, and has been for some time, greatly demented and incapable of reasoning, and has to be cared for day and night by an attendant. Affiant has no hesitation in giving as his candid opinion that such sickness and infirmity are entirely due to his service as a soldier in Cuba.

That affiant has made special inquiry regarding the financial condition of said Waalkes and family and learns from statements he fully believes that they are destitute, and are entirely dependent on charity for the necessities of life. That they have no home of their own and no means to pay for a rented one.

I have no interest in any pension said Waalkes may have granted him, and make this affidavit only for the purpose of aiding a worthy soldier.

JOHN B. BARLOW.

Subscribed and sworn to before me this 13th day of January, 1911.

[SEAL.]

JOHN B. BARLOW,
Notary Public in and for Muskegon County, Mich.

My commission expires March 14, 1911.

STATE OF MICHIGAN,
County of Muskegon, ss:

Frank C. Whitney, being duly sworn, deposes and says: I have been a resident of the city of Muskegon, Mich., for the past 39 years. I enlisted in the Spanish-American War in April, 1898, and served as captain in the Thirty-fourth Michigan Volunteer Infantry, commanding Company C. John Waalkes, a resident of Muskegon, Mich., enlisted on May 13, 1898, as a member of Company C, Thirty-fourth Michigan Volunteer Infantry. To my personal knowledge the said John Waalkes was a strong, robust man, enjoying the best of health. He served during the campaign in Cuba with his company, returning with his regiment to Montauk Point in August, 1898. He had been sick while in Cuba, suffering with dysentery and rheumatism, and on his arrival at Montauk Point, August 27, 1898, was too ill to remain with his company and was transferred to the general hospital at Montauk Point. When his company returned to its home station, he was too ill to go with them. Shortly afterwards he was transferred to the Helen Gould Hospital, in New York City. After several weeks' treatment there he returned to his home station on October 3, 1898. He was mustered out with his company on December 14, 1898. His illness was entirely in the line of duty.

To my personal knowledge, since his discharge he has been sick and unable to work most of the time. At present he is suffering from tuberculosis and has lost a portion of his right foot as a result, and his mind is impaired to such an extent that he is incapable of reasoning and is unable in any way to aid in his own support. He is being cared for by relatives, who are themselves in poor circumstances and financially unable to carry this extra burden.

To the best of my knowledge and belief his present condition is a result of his military service.

I have no interest in any pension that may be granted to said John Waalkes and make this affidavit only to aid in a worthy cause.

FRANK C. WHITNEY.

Subscribed and sworn to before me this 14th day of January, 1911.

[SEAL.]

JOHN B. BARLOW,
Notary Public in and for Muskegon County, Mich.

My commission expires March 14, 1911.

STATE OF MICHIGAN,
County of Muskegon, ss:

P. Fred Nelson, of the city of Muskegon, being duly sworn, deposes and says: I am the sheriff of Muskegon County, in said State. I was a soldier in Company C of the Thirty-fourth Michigan Volunteer Infantry, and was engaged in the so-called Spanish War in Cuba in 1898, where I served until the latter part of the month of August of that year. John Waalkes, then and now a resident of Muskegon, was also a member

the said Company C and served with it in the Cuban War during the entire time said company was in Cuba, returning with said company to New York at the close of that war. I remember well that said Waalkes was sick during the entire time he was in Cuba and became very poor in flesh, very weak and sallow, and had rheumatism and dysentery very bad, so much so that on more than one occasion he was obliged to be relieved from all military duty, and had to be cared for by his comrades. That none of the members of said Company C had any tents or blankets after the first or second day on the island, and all were obliged to sleep on the bare ground or on boughs of trees with nothing over them for a good many days; that in consequence said Waalkes grew worse, and when the transport on which the company returned to New York arrived he was sent to Montauk Point and New York, where he was confined in a temporary hospital several weeks, and on returning to Muskegon affiant observed that said Waalkes was very little if any better of his infirmity, he being still much emaciated, sallow, and weak, and since then has been under the care of his physician and confined to his bed much of the time, in consequence of such sickness originating in the island of Cuba. That he has frequently seen said Waalkes during the entire time since the close of the Cuban War, and it is a matter of common knowledge in Muskegon and vicinity that said Waalkes is a hopeless cripple and invalid, and that he is greatly demented and has to be constantly waited on and cared for by an attendant. That affiant states positively that at the time of his enlistment said Waalkes was a very strong, healthy, and robust man, but that he is now a physical wreck and does not possess sufficient intelligence to wait on himself, but has to be watched and cared for by others to the extent that would be required for a 1-year-old child. I further state that I have no financial interest in any pension said Waalkes may have granted to him.

P. FRED NELSON.

Subscribed and sworn to before me this 10th day of January, 1911.

[SEAL.]

JOHN B. BARLOW,
Notary Public, Muskegon, Mich.

My commission expires March 14, 1911.

STATE OF MICHIGAN,
County of Muskegon, ss:

Patrick J. Sullivan, being sworn, says: I am a practicing physician and have resided in the city of Muskegon, Mich., practicing my profession for more than 12 years last past. That some years ago, though the exact date I can not now recall, I was called to treat John Waalkes, of Muskegon, who I then learned had been a soldier in the Cuban War. I found said Waalkes suffering with a badly swollen knee and many sores broken out on his face and body. I treated him for a few weeks, after which he was taken to the Hackley Hospital in Muskegon, where the great toe of his right foot was amputated by reason of tuberculosis appearing in an aggravated form in his toe and foot. I further state that I have lately visited said Waalkes and examined his foot and find no improvement in it, but on the contrary, said foot discharges much pus, both from the toes and hollow of his foot, and his foot may have to be amputated. That said Waalkes is demented and wholly unable to care for or attend himself and has to be constantly attended and waited on as much as an infant child. That in the opinion of this affiant said Waalkes's infirmity and dementia is due directly to his services and exposure in Cuba and from no other cause.

P. J. SULLIVAN, M. D.

Subscribed and sworn to before me this 10th day of January, 1911.

[SEAL.]

JOHN B. BARLOW,
Notary Public, Muskegon, Mich.

My commission expires March 14, 1911

STATE OF MICHIGAN,
County of Muskegon, ss:

John Knooihuizen, being sworn, says: I am a retail grocer in the city of Muskegon, Mich., and know John Waalkes, late of Company C, Thirty-fourth Michigan Volunteer Infantry, and have been well acquainted with him for 20 years last past. I remember his physical and mental condition at the date of his enlistment in the Spanish-American War, and knew him then to be a very healthy, strong, and able-bodied man and one

who was considered an athlete by all who knew him. I recollect well the occasion of his return from that war and remember that he was a physical wreck, very yellow of skin, very weak and rheumatic, and very poor in flesh, and covered with red sores on his face, body, and legs. That affiant has seen said Waalkes almost daily during most of the time since he returned from Cuba in 1898 and swears positively that he has been extremely feeble in health during all that time and unable to work at any kind of labor except for a few weeks, when he tried to work, but was so infirm in body and mind that he could not continue and has been confined to his house most of the time since. That said Waalkes has a family consisting of a wife and three young children, ranging from 18 months to 7 years of age. That he has no property whatever and is entirely dependent upon charity for every necessity in life. That said Waalkes requires almost the undivided attention and care of an attendant, he being too feeble-minded to wait on himself, and has to be attended and washed and cleaned every day and very often during the night. I further state that I have no financial interest in any pension Mr. Waalkes may have granted to him.

JOHN KNOOIHUIZEN.

Subscribed and sworn to before me this 10th day of January, 1911.

[SEAL.]

JOHN B. BARLOW,
Notary Public, Muskegon, Mich.

My commission expires March 14, 1911.

STATE OF MICHIGAN,
County of Muskegon, ss:

James Roach, being by me duly sworn, says: I reside in the city of Muskegon, Mich., where I am engaged in the business of a retail grocer. I was an enlisted soldier in Company C of the Thirty-fourth Michigan Volunteer Infantry and was with that company during the entire Spanish-American War in Cuba. I remember John Waalkes, who was also a member of said Company C and was with said company during its entire stay in Cuba. That at the time said Waalkes enlisted in said company I knew him well and I am positive that he was an unusually strong and vigorous young man of good character and habits. I remember that soon after said Company C arrived in Cuba all the company's tents and blankets were stolen and said Waalkes with the rest was obliged to sleep on the bare ground for almost two months with nothing over him, and by reason of such exposure and the unhealthfulness of the Cuban climate said Waalkes was very sick with dysentery in an aggravated character, and that he had rheumatism, was very poor in flesh and sallow and had to be relieved from duty as a soldier by reason of such sickness. There was no hospital or nurse supplied for any of the members of said Thirty-fourth Michigan Regiment, and when said Company C reached New York on its return home said Waalkes could not be taken farther on account of excessive sickness, and was sent to Montauk Point, N. Y., and to New York, where he was confined for many weeks in a hospital. That affiant remembers when said Waalkes returned to Muskegon after leaving said hospital. He saw him immediately and found him little or no better physically than he was when he left him at the transport in New York. That said Waalkes was still weak, yellow, and rheumatic, and has been a physical wreck ever since he returned. That he has been advised by the friends and family of the said Waalkes that he has grown worse, and such is the understanding among his former comrades who reside in Muskegon. That affiant knows said Waalkes is now and has been for many years very weak in mind and not capable of reason. All of which affiant believes is due to the service and exposure in Cuba. I have no financial interest in any pension that may be granted to Mr. Waalkes.

JAS. ROACH.

Subscribed and sworn to before me this 10th day of January, 1911.

[SEAL.]

JOHN B. BARLOW,
Notary Public, Muskegon, Mich.

My commission expires March 14, 1911.

S. 1954. Harriet J. Bockerman is the widow of August Bockerman, late private Troop A, Seventh United States Cavalry, who served from February 12, 1872, to February 12, 1882, and who died April 17, 1904, of locomotor ataxia. He was pensioned under the provisions of a special act approved April 8, 1904, for locomotor ataxia and loss

of sight of left eye at \$24 per month. The report from the Committee on Pensions of the House of Representatives was as follows:

August Bockerman, of St. Joseph, Buchanan County, Mo., enlisted February 12, 1872, at the age of 21 years, as a private in Troop A, Seventh United States Cavalry, and was honorably discharged February 12, 1877, at Fort Abraham Lincoln, Dak. T. He reenlisted February 12, 1877, in the band of the Seventh Cavalry, and was honorably discharged February 11, 1882, at Fort Meade, Dak. T. On January 16, 1889, he filed an application for pension under the general law, declaring that from exposure while on the Yellowstone expedition of 1873, the Black Hills expedition of 1874, and the Sioux campaign of 1876 his nervous system was broken down, causing locomotor ataxia and total loss of sight of left eye. The medical records show that he was treated for various ailments, including acute rheumatism, tonsillitis, inflammation of pleura and kneejoint, and neuralgia.

In explanation of his claim the applicant swore that it was impossible for him to give the precise date and place of the origin of his ailments for the reason that the same came upon him gradually; that from the time of his service and discharge he suffered from extreme nervousness, headache, and general debility, but that the first serious attack of nervous prostration came upon him while residing in Missouri in 1886. This necessitated his giving up his business, he being physically prostrated, and that in about 1892 the nervous trouble developed into locomotor ataxia and loss of sight of left eye. He further declared that he had not received any injury since his discharge, and there is no cause for his disability other than the nervous prostration, exhaustion, and exposure produced by his arduous military service through many hard Indian campaigns.

Stephen O. Bushkirk, a comrade, testified in detail to the severe exposure to which the command was subjected and of claimant's complaints of his head and eyes, and of nervousness, and that he gradually became worse up to the time of his discharge. Other witnesses have testified substantially to the same effect, several of whom served with him, among the number being Maximilian Goetze and James McBrearty. Other witnesses testified to claimant's complaint of nervousness and gradual decline in health from the time of his discharge, and Dr. T. E. Potter, of St. Joseph, Mo., testifies to having treated him since about 1896 for locomotor ataxia and chronic bronchitis, which from the history of the case the doctor believed to be due to exposure while in the Army.

A medical examination, held March 22, 1899, before the St. Joseph (Mo.) board, revealed the existence of locomotor ataxia, causing total incapacity for earning a support by manual labor, and the board also found total loss of sight of left eye. Although an exhaustive examination was apparently made, no signs whatever could be found that the claimant's disabilities are in any way due to vicious habits, and the testimony all shows that the claimant is a man of good character and one who takes the best of care of himself.

It is shown that although the claimant was always faithful in the discharge of his duties as a soldier, he was somewhat awkward in learning to ride a horse at the outset, and that he received frequent falls, sometimes striking on his head. Several of his comrades speak of this, and Maj. Charles A. Varnum, of the Seventh Cavalry, in reporting to the War Department on the claimant's case, said:

"He is a big, strong, clumsy German or Scandinavian, I should judge, and was rather awkward and not much of a horseman, and may have fallen from his horse and hurt himself. He was with the troop on the Stanley Yellowstone expedition of 1873, and the Black Hill expedition of 1874; also on the White River (S. Dak.) campaign in 1875, and I believe on the Terry-Sioux expedition of 1876, though I was not with the troop that year."

The testimony accompanying the bill is to the effect that the soldier is living with his wife, who has also had considerable sickness, and that both are of good habits, saving, and frugal. They have now no property or resources with which to maintain themselves and are almost wholly dependent.

Your committee believe, after a thorough review of the evidence, that a liberal view of the proof justifies the conclusion that the claimant is entitled to any doubt there may be respecting the origin of his disabilities in the service, and the passage of the bill is therefore respectfully recommended.

The widow was married to the soldier October 17, 1895, and is 56 years of age. She is shown to be in poor health and in very needy circumstances, being left without means for her support. Her claim for pension at the bureau was rejected for the reason that her hus-

band's death was not proved as due to the military service. The merits of the claim of the soldier, however, having been determined by a former Congress, after a careful consideration of the evidence on file, your committee, in view of the fact that he died of one of the disabilities recognized as chargeable to his service in the Army, report favorably on the bill for the widow and recommend that she be allowed pension at \$12 per month.

S. 1975. Jacob Korby, the claimant, enlisted May 9, 1898, for service in the War with Spain as a private in Company H, First Idaho Volunteer Infantry, and was discharged at Manila, P. I., July 2, 1899. He again enlisted July 10, 1899, as a private in Company C, Thirty-sixth United States Volunteer Infantry, and was discharged as quartermaster sergeant at the Presidio, San Francisco, Cal., March 16, 1901. In his claim for pension, filed January 21, 1909, he alleged that while serving in the Philippine Islands in 1900 he contracted malarial poisoning and rheumatism. The Commissioner of Pensions rejected the claim for rheumatism on the ground of no medical or other satisfactory evidence to show continuance since discharge and no ratable disability from that cause since date of filing claim. The claim for malarial poisoning was rejected on the ground of no record or other satisfactory evidence to prove service origin and continuance of same from date of discharge.

The company muster rolls show claimant sick in quarters from October 6 to 11, 1899, and from December 19 to 31, 1900. The medical records show that he was treated from October 5 to 10, 1899, for muscular rheumatism, both legs and thighs, acute, in line of duty; also show treatment November 12, 1900, diagnosis not stated.

In support of his claim, soldier filed evidence as follows:

Burton O. Compton, comrade, testified in affidavit filed August 2, 1909, that soldier contracted malarial fever and was sick and confined to his quarters for some time, but just how long he can not say; that he was also sick in November and December, 1900, and confined to quarters with malaria, and the fever left him in a weak condition, and that he has seen soldier frequently since his discharge, especially the past two years, and from all appearance he is suffering from malarial poisoning. In reply to letter from bureau witness states that soldier was sick in service, and claimed it was his legs that bothered him.

John J. Donnelly, comrade, testified in affidavit filed November 27, 1909, that soldier contracted malarial fever and was off duty and marked in quarters in July, 1900, and was sick for some time; that in November and December, 1900, he was again sick with malaria and marked in quarters and off duty for several days, and that he was afterwards weak and unable to do hard duty, and showed signs of malarial weakness when discharged. In reply to letter from bureau, witness states that soldier had chills and fever and was very poorly until mustered out.

Gerald Britt, comrade, testified in affidavit filed January 31, 1910, that soldier was sick with malarial fever and off duty in July, 1900; that he was again very sick with malarial fever and rheumatism and off duty about November and December, 1900, and that his skin looked as yellow as gold when discharged. In reply to letter from bureau witness repeats above statements.

Dr. F. L. St. Jean testified April 13, 1909, that he attended soldier in 1905, in a case of rheumatism and subsequently in a dislocation or injury to hip joint.

Dr. Fred A. Pittinger testified March 19, 1909, that soldier was under his care from July, 1907, for resection of head of femur on left side; that he has had some constitutional trouble which witness diagnosed as chronic malarial poisoning.

George F. Nelson and Fred E. Brumm testified March 16, 1910, that soldier was unable to perform manual labor on account of illness said to be malarial poisoning and has been since his return from the Philippine Islands.

Claimant was examined March 17, 1909, by a board of surgeons, who rated him \$8 for malarial poisoning and \$12 for fracture of left hip, this latter, however, not being due to the military service, but incurred since discharge. As to rheumatism the examining surgeons said:

Complains of pain in right leg and knee, arms, and shoulders. No joint involvement at this examination. Claims to have had intermittent attacks of pain and swelling since coming home from the Army. Says he lies in bed for 8 to 10 days at a time on several occasions since coming home. Says about every two or three months he has an attack.

Claimant is 48 years of age and very poor. Evidence filed with the committee shows that he is greatly crippled from fracture of left hip and is unable to do manual labor. Giving him the benefit of the doubt, the committee recommend pension of \$10 per month for disabilities accepted as due to the military service.

S. 2128. James C. Smith was a private in Company M, Fourth Tennessee Volunteer Infantry, War with Spain. He served from June 18, 1898, to May 6, 1899, and was honorably discharged. In his claim for pension, filed December 28, 1906, he alleged swelling of testicles, malaria, and rheumatism, incurred at Trinidad, Cuba, in December, 1898, or January, 1899. The Commissioner of Pensions rejected the claim for disease of testicles on the ground that service origin was not proved; the claim for malarial poisoning on the ground that a ratable disability therefrom was not shown to exist, and the claim for rheumatism on the ground that disability did not appear until several months after discharge.

The medical records on file in the War Department show that soldier was treated from January 23 to 29, and from March 4 to 18, 1899, for malaria, in line of duty. There is abundant proof that he was free from alleged disabilities at and up to the time of his enlistment. The testimony of comrades, secured by a special examiner of the Pension Bureau, shows that he was sick with malaria and also suffered from affection of testicles, not the result of vicious habits, in the service and was not in good health to the time of his discharge. Testimony of neighbors and physicians shows that claimant has been in poor health since his discharge suffering from affection of testicles, malaria, liver trouble, and rheumatism, the last of which manifested itself within two or three months after his return home, and that he has been more or less incapacitated for manual labor. His first medical treatment after discharge was in July or August, 1899, and his physicians state that rheumatism was produced by the malarial poisoning contracted in service. For affection of testicles he has worn a suspensory bandage since discharge.

The board of surgeons before whom claimant was examined March 6, 1907, rated him \$2 for malaria, \$2 for rheumatism, and \$2 for affection of testicles, all of which appear to be very low ratings for his disabilities. Evidence filed in the bureau in 1910 shows that claimant is unable to perform hard manual labor. The special examiner of the bureau in August, 1908, reported that claimant bears a good reputation and that he undoubtedly has a severe liver trouble.

In the opinion of the committee the preponderance of testimony is in favor of the claimant and it is believed that a rating of \$12 per month would be a just and equitable allowance.

S. 2271. Ralph W. Ingard was a private in Company B, Second Ohio Volunteer Infantry. He served during the War with Spain from April 25, 1898, to February 10, 1899, and was honorably discharged. He established a claim under the general law and is pensioned at \$8 per month for double varicocele and resulting atrophy of testicles, admitted to have been of service origin. Claim for increase filed January 10, 1911, was rejected February 23, 1911.

The Pension Office surgeon, by whom claimant was last examined January 30, 1911, described his disability as follows:

Varicocele averages a good-sized hen's egg while applicant wears a suspensory; says it becomes much larger if he leaves the suspensory off. Is compelled to wear a suspensory all the time and then the pain is intense if he stands long on his feet. The testicles are atrophied, not being more than one-fourth their normal size.

The report also shows that claimant has disease of lungs, apparently of recent origin. Testimony submitted to the committee shows that claimant is totally disabled for any and all kinds of manual labor; this, however, is largely due to tubercular disease of lungs not established as resulting from the military service. He is 31 years of age and very poor. For the disability incurred in the service it is believed he should have increase to \$12 per month.

S. 2631. Harry McFarlin, the claimant, was second lieutenant in Company K, First Florida Volunteer Infantry, during the War with Spain. He was commissioned April 29, 1898, and resigned August 1, 1898, in consequence of physical disability. He is now drawing pension under certificate No. 1035295 at the rate of \$15 per month on account of disability from chronic dysentery, from which he suffered while in the service, and on account of which he was compelled to resign from the Army. He applied for increase November 24, 1909, but the Commissioner of Pensions rejected the application January 26, 1910.

It is in evidence that soldier was sound when he enlisted and that his disability came on him while in the performance of his duties at Tampa, Fla., in the summer of 1898. It is also in evidence that he has never recovered his usual good health, but has been more or less disabled since his discharge.

It appears from his last medical examination, taken December 29, 1909, that soldier is practically unable to perform manual labor. The report of the examining surgeons with respect to his pensioned disability is as follows:

Chronic diarrhea: Claimant is anemic and poorly nourished. He is feeble and muscles are flabby. History of alternating periods of diarrhea and constipation. Passes blood and mucus. Rectal examination shows no hemorrhoids, but a condition of general proctitis and one ulcer on posterior wall. Liver and spleen normal in size. No jaundice. No tenderness over liver or spleen. Some general abdominal tenderness.

Medical examinations in August, 1899, and November, 1901, showed soldier to have been totally incapacitated for manual labor. Accompanying the bill is the following sworn statement of Dr. J. A. McGarry, of Los Angeles, Cal., dated May 17, 1910:

This is to certify that I have this day examined Harry McFarlin, late of Company K, First Florida Volunteer Infantry, and I find him disabled for the performance of manual labor on account of neurasthenia, resulting from membranous colitis, and on account of membranous colitis, with ulcerated rectum.

Soldier is about 37 years of age and very poor. It is believed that his condition is such that increase to \$24 is warranted, his disability being of service origin.

S. 3068. Josephine K. Woodson is the widow of Albert E. Woodson, late major, Ninth Regiment United States Cavalry, and brigadier general, United States Army.

Gen. Woodson entered the Army early in the Civil War as a private soldier, and with the exception of a brief interval was in service continuously until 1903, when he was retired with the rank of brigadier general. The facts as to his service are as follows:

Enlisted May 27, 1862, as private in Company E, First Washington Territory Infantry; appointed hospital steward August 31, 1862; promoted second lieutenant Company A, same regiment April 14, 1863, and honorably mustered out March 25, 1865. Appointed first lieutenant, Thirty-sixth United States Infantry, August 5, 1867; promoted captain, Fifth Cavalry, July 1, 1876; major, Ninth Cavalry, October 14, 1896; lieutenant colonel February 2, 1901; colonel Third Cavalry May 31, 1901; brigadier general, United States Army, April 15, 1903; retired at his own request April 16, 1903, having reached the age of 62 years. He served in the Civil War and in the Philippine Islands and also in several campaigns against hostile Indians in the West. He died at Paola, Kans., August 7, 1903.

Mrs. Woodson now receives a general-law pension of \$25 per month, it having been determined by the Pension Bureau that her husband's fatal disease originated while he held the rank of major, although he subsequently served several years and was three times promoted. She is 57 years of age, and was married to the soldier February 22, 1866. She is in delicate health, unable to labor, and has no means of support except her pension, having no property or other source of income.

It is believed that the long-continued and distinguished services of the soldier and the widow's necessitous circumstances justify the increase of her pension to \$40 per month.

S. 3123. Vee Aiken is the widow of William M. Aiken, late private, corporal, and sergeant in Troop F, Third United States Cavalry. Soldier enlisted January 27, 1902, and was in service continuously until September 6, 1906, when honorably discharged. He died between October 2 and 5, 1910, in the Bitterroot National Forest, Mont., from a pistol shot fired with suicidal intent after lying exposed to the elements for three days.

The widow was married to the soldier January 30, 1909. Her application for pension under the general law was denied on the ground that soldier's death was not from cause of service origin. No doubt this was technically correct. The widow is 22 years of age and is left in dependent circumstances with an infant child to support.

It is shown by the evidence that soldier contracted disease of kidneys in the Army, from which he was a constant sufferer to the time of his death. He was pensioned for that trouble through the regular channels at the bureau at \$10 per month from October 2, 1907, and increased to \$12 from December 6, 1907. The facts as to his death are as follows: Soldier with a companion went hunting October 1, 1910, in the Bitterroot National Forest, Mont.; they became lost, and soldier was taken ill and was unable to proceed farther; his companion left him the next day to summon help, and three days later soldier's body was found in the same locality, he having apparently committed suicide. A physician testified that soldier had been under his care from March, 1910, and was in the last stages of chronic nephritis and had been twice confined to his bed by attacks of said disease and had been warned that another acute attack of the disease would very probably prove fatal, because of its advanced stage, and that he would probably die therefrom in any event in a few months. It is more than probable, therefore, that soldier's death was in a measure occasioned by the suffering endured from disease contracted in the military service and from which no doubt he would have ultimately died if he had not shot himself. In view of all the facts the committee recommend allowance of pension to the widow at \$12 per month with the usual additional allowance of \$2 per month for the soldier's minor child, under the age of 16 years.

S. 3309. Bert Derendinger, the applicant, was a private in Company I, Thirty-first Regiment Michigan Volunteer Infantry. He served during the War with Spain from April 26, 1898, to November 30, 1898. On November 26, 1900, he filed an application for a pension wherein he alleged that he contracted heart disease at Chickamauga Park, Tenn., in July or August, 1898, from heat and exhaustion consequent upon forced marches and drills. The claim was rejected on the ground that there was no record of the heart disease on file in the War Department and the evidence was insufficient to show that the same was incurred in service. It appears from the evidence that soldier was sound at enlistment and the testimony of comrades is that he was sick during service from diarrhea and fever and was generally run down. The testimony of his physician shows that claimant had heart trouble within a short period after his discharge and it is observed that he filed his claim as early as November, 1900. Other evidence establishes the continuance of the disability, and on his examination at Ann Arbor, Mich., April 17, 1901, by a full board of surgeons he was rated sixteen-eighteenths for heart disease.

Soldier is now also suffering from pulmonary tuberculosis and the probabilities are that he never will get well. He is in the Union Printers' Home at Colorado Springs, Colo., and has had to abandon all occupations by which he might earn a support. He is 35 years of age and very poor and in most needy circumstances. While the evidence in his case is not such as would warrant the granting of a pension under the department rules, yet it appears to the committee that the case is a meritorious one and we recommend that soldier be granted a pension of \$20 per month.

S. 3330. Harry Colpus, the claimant, was a private in the Hospital Corps, United States Army, during the War with Spain. He enlisted August 3, 1898, and was discharged March 14, 1899. During his

service he was taken sick with typhoid or malarial fever, for which he was under treatment for considerable periods of time. The hospital records show him treated from September 7 to October 1, 1898, for malarial fever; October 1 to 13, 1898, for malaria and dysentery; October 15, 1898, for malarial cachexia; on 20 days' furlough from October 16, 1898; and March 4 to 14, 1899, for malaria. As a result of his sickness in service he became deaf, which has since debarred him from following his former occupation of butler and waiter.

Soldier's claim for deafness was rejected on the ground that the same originated from causes antedating his Army service and the claim for malarial poisoning and results was rejected on the ground of no ratable disability therefrom since date of filing application. As regards his disability before service claimant states that his hearing was impaired only when suffering from a cold and that as soon as the cold was gotten rid of his impairment of hearing passed away. This is also the substance of the testimony of two witnesses on file in the case. On the other hand, there is testimony of other witnesses, employers and associates, to the effect that he was sound and free from disability prior to enlistment, and that he earned good wages at his employment. Added to this is the fact that he was thoroughly examined at enlistment and accepted as sound and fit for service as a soldier.

It is undoubtedly proved that claimant has been much disabled since his discharge from the Army and that he can no longer earn a support by his own labor. His general health has been poor and he has had many good positions, all of which he was compelled to abandon on account of his infirmity. The report of his medical examinations on file in the bureau also establishes the existence of his disability. When last examined, January 18, 1911, by a full board of surgeons, he was also rated \$8 for diarrhea and disease of rectum, undoubtedly due to malaria contracted in service.

Claimant is 48 years of age and very poor. He is reputed to be a man of good character and habits. It seems to be proved that he had no permanent defect of hearing before he entered the service and that his general health has been poor and his hearing much impaired continuously from the time of his discharge. In view of all the facts the committee recommend allowance of pension at \$15 per month.

S. 3679. Abner E. Armstrong, of Roseburg, Oreg., served in the Oregon and Washington Territory Indian war from February 20, 1856, to May 5, 1856, as a private in Capt. Wilber's Company, D, First Regiment Oregon Mounted Volunteers. He is a pensioner at \$8 per month under the Indian-war service acts of July 27, 1892, and June 27, 1902.

He is 78 years of age, and evidence submitted to the committee shows that he is afflicted with rheumatism, stomach and bladder trouble, and other infirmities of age, and is wholly incapable of performing manual labor, or of doing anything toward earning a support. It is further shown that he is poor and with no source of income except his pension. In such cases the committee usually grant substantial relief by doubling the pension, and increase to \$16 is recommended.

S. 3680. Mealchi Baughman, of Roseburg, Oreg., late private in Capt. R. L. Williams's Company, E, Second Oregon Mounted Volun-

teers, served in the Oregon and Washington Territory Indian war from October 12, 1855, to February 1, 1856, and was honorably discharged. He is at present in receipt of a pension under the Indian-war service acts of July 27, 1892, and June 27, 1902, at the rate of \$8 per month.

It appears, however, from the evidence filed with committee that claimant is 82 years old, partially paralyzed and otherwise disabled, so that he is wholly incapable of performing any kind of labor. It also appears that he is poor and without means of support of any kind other than his pension. There are many precedents for increasing the pension of the aged and destitute survivors of the early Indian wars, and increase in this case to \$16 per month is recommended.

S. 3681. Hiram R. McCord, of Roseburg, Oreg., served in the Oregon and Washington Territory Indian War from February 13, 1856, to June 19, 1856, as a private in Capt. W. H. Latshaw's company, A, Second Regiment Oregon Mounted Volunteers. He is pensioned under the Indian-war service acts of July 27, 1892, and June 27, 1902, at the rate of \$8 per month.

He is 72 years of age, and evidence of a physician and neighbors filed with this committee shows that he is at present disabled by double inguinal hernia, disease of heart and bladder, enlarged prostate, and other infirmities of age, and is wholly incapable of earning a support by manual labor. It also appears that he is very poor and without means of support aside from his pension. Acting in his case as we have in similar cases, the committee recommend increase of pension to \$16 per month.

S. 3682. Mahlon Petree, of Roseburg, Oreg., served in the Oregon and Washington Territory Indian War from February 13, 1856, to June 19, 1856, as a private in Capt. W. H. Latshaw's company, A, Second Oregon Mounted Volunteers. He is in receipt of a pension of \$8 per month under the Indian-war service acts of July 27, 1892, and June 27, 1902.

It appears, however, from the evidence filed with this committee that the claimant is 82 years old and that he is broken down by reason of rheumatism, disease of heart, bladder trouble, partial deafness, and other infirmities of age, and is totally disabled for earning a support by manual labor. It further appears that he is without means of any kind and has no source of income other than his small pension. It is proper to give this old veteran further relief, and increase to \$16 per month is recommended.

S. 3688. Andrew McDonal, the claimant, was a member of Company C, Forty-fourth United States Volunteer Infantry, in which organization he served in the Philippine Islands from September 4, 1899, to February 19, 1901. He had previously served during the War with Spain in Company B, Twenty-second Kansas Volunteer Infantry, from April 30, 1898, to November 3, 1898. He was honorably discharged from both services.

In an engagement with insurgents at Carmen, Bohol, P. I., August 31, 1900, he received severe bolo wounds for which he was continuously in hospital under treatment to the date of his discharge. One wound was 6 inches long, extending through the middle of the left ear and along the neck downward and backward, with fracture of

the mastoid process; the other wound was 7 inches long in right arm and forearm, opening back of elbow. In consequence of the wound of head he now suffers from partial deafness of left ear, and the wound in right arm has rendered the same nearly useless for manual labor.

Claimant is now on the pension roll under the general law at \$17 per month for bolo wounds of left side of head, left ear, right arm and elbow and resulting ankylosis of elbow. We was first pensioned at \$12 per month from March 2, 1901; increased to \$14 from August 6, 1902, and to \$17 from September 7, 1904. Claims for further increase were rejected November 3, 1906, October 14, 1907, and May 16, 1910.

Claimant was last medically examined at Norton, Kans., April 6, 1910, by a full board of surgeons, who rated him twelve-eightieths for ankylosis of elbow and atrophy of arm and six-thirtieths for diminished hearing. The examining surgeons failed to rate the wound of head, although it is evident it is there and is a source of much pain and suffering and inconvenience.

Claimant is about 36 years of age and very poor. The bill introduced in his behalf proposes increase of his pension to \$50 per month, but your committee can find no warrant for the allowance of that amount. It is believed, however, that he is entitled to more pension than he is now receiving for his service wounds, and it is recommended that his rate be raised to \$24 per month.

S. 3884. George F. Wallet, the applicant, was a private in Company C, Third Wisconsin Volunteer Infantry. He served during the War with Spain from June 17, 1898, to January 9, 1899, and was honorably discharged. His claim for pension, filed November 17, 1904, is based on sunstroke and results and varicose veins of both legs, alleged to have been contracted in service. The claim was rejected on the ground that the evidence was insufficient to connect the disability with the military service.

It is established that the claimant was sound at enlistment. It is also established that he was sunstruck in service, once at Charleston and again in Porto Rico. The hospital records show that he was treated as follows: August 6 to 16, 1898, for malarial fever, remittent; August 6 and 7, 1898, acute enteritis; August 7 to 11, 1898, sunstroke; and September 1 to 7, 1898, remittent fever, all in line of duty. On his examination preliminary to discharge he stated that he had diarrhea contracted at Chickamauga Park, July 1, 1898, and the surgeon who examined certified to the existence of chronic diarrhea.

Soldier's captain and several comrades testified that he was sunstruck or overcome by the heat in service, and the captain also testified to the service origin of varicose veins. It also appears from the evidence that soldier has been in poor health since discharge, suffering from dizziness, intolerance of heat, stomach trouble, and varicose veins, and has been more or less disabled for earning a support by manual labor. The report of the board of surgeons before whom he was examined January 11, 1905, shows disability from result of sunstroke and varicose veins of both legs. He is 32 years of age and very poor, having no means for the support of himself and family.

The committee incline to the belief that he is suffering from disabilities incurred in the service and that he should be pensioned therefor. Twelve dollars per month seems to be a proper rate in his case.

S. 4116. Charles Miller, the claimant in this case, is in receipt of a pension under the general law at the rate of \$24 per month for disease of brain and resulting partial paralysis of left shoulder. Applications for increase were rejected by the Pension Bureau November 16, 1906, and December 9, 1911, notwithstanding boards of examining surgeons reported in favor of the claim.

The reports from the War Department show that the claimant has a very creditable record of eight years' service in the Regular Army. He first enlisted May 17, 1889, in Company A, Twentieth Infantry, and was discharged August 16, 1892. He reenlisted May 6, 1893, in Company D, Twenty-second Infantry, and was discharged August 6, 1896. He again enlisted June 28, 1899, in Company I, Fourth Infantry, and was finally discharged December 1, 1900. His disability which compelled his discharge from the Army was incurred during his last enlistment and was occasioned by sunstroke while on duty in the Philippine Islands.

The board of surgeons, before whom the soldier was examined September 5, 1906, described his condition as follows:

Disease of brain and resulting partial paralysis of left shoulder: The claimant has the characteristic expression of melancholia, anxious, immobile features with partially closed eyes; he answers questions, but is very slow in responding and apparently is somewhat at a loss for words in which to express himself; reflexes are about normal; tactile sensation slightly diminished; there are many scars on the scalp and on the tongue, the result of falls when unconscious, but none of recent origin; claimant's memory is impaired, and he can not remember dates or events that happened quite recently; the motion of left shoulder joint is diminished about one-quarter, and claimant can not use the left arm more than half as much as right.

Heart: Apex impulse not visible or palpable; area of dullness from third interspace to nipple line and to midsternal line; the heart sounds are feeble and hard to distinguish; the second sound is accentuated.

Lungs: Area of resonance is normal; moist râles over bronchi; chest well shaped and symmetrical.

Kidneys: Urinalysis—color, amber; reaction, neutral; specific gravity, 10.15; albumen, none; sugar, none; deposit, none.

Claimant is well nourished, but muscles are soft and there is sclerosis of the temporal and radial arteries; he is slow and hesitating in his movements, and appeared to look upon the necessary directions given him in connection with the examination with suspicion. The palms of his hands show signs of recent work, and his wife, legal guardian, says that he is willing enough to work but can not be trusted alone and has to be watched all of the time, and he is likely to have a fit at any time. No other disabilities found, and those described not the results of vicious habits.

Rating: On account of his mental condition claimant is entirely unfit for manual labor, and the board considers this claimant so disabled from disease of brain as to be incapacitated for performing any manual labor, and is entitled to \$30 per month.

The same board of surgeons reported under date of May 3, 1911, as follows:

Disease of brain and resulting paralysis: His memory is impaired, his attention diminished, his flow of ideas is retarded, and expression sluggish; face expressionless; general weakness of intellectual processes; old scars on scalp and tongue. Paralysis of left shoulder complete and a spastic condition of left arm. There is no deformity of hand. There is atrophy of muscles of left arm, no ankylosis, and can use passive motion. Pupils react to light and accommodation. Reflexes are exaggerated on left side; sensation decreased over left side of face and left arm. There is no other paralysis; his gait is good and he is well nourished.

Heart: Apex beat not visible or palpable; area of dullness, third interspace to nipple line and to midsternal line; sounds feeble.

Lungs: Normal.

Urine: Straw color, reaction acid, specific gravity 10.20, no sugar, no albumen.

Applicant is willing to work but can not be left alone; has to have a constant attendant. No other disabilities found and those described not the results of vicious habits. Applicant leaves home at times without notice; stays away for days. Has been found wandering aimlessly around on the prairie near home. At other times has

been taken charge of by the authorities and kept in jail until friends were notified. In the opinion of the board applicant is entirely unfit for manual labor and needs nearly the constant attention of another person and is entitled to \$48 per month.

The soldier was adjudged insane in September, 1905, in the county court of Morton County, N. Dak., and his pension is being paid to his wife, Mary Miller, who was duly and legally constituted his guardian. She is the mother of his seven children, the eldest of whom is but 13 years of age. She has no means and is compelled to do washing to help support the family.

The record and other evidence show the service origin of soldier's disability and its continuance is also clearly established. Your committee are of opinion that further allowance of pension is warranted, and increase to \$40 is recommended.

S. 4529. Jesse Turrentine served in the War with Spain in Company C, First Regiment Alabama Volunteer Infantry. He enlisted May 1, 1898, and was honorably discharged and mustered out October 31, 1898. He filed his application March 18, 1905, claiming pension on account of typhoid fever and results contracted at Miami, Fla., July, 1898. In affidavit filed June 28, 1905, he alleges as results of Army sickness piles, diarrhea, disease of stomach, and rheumatism.

Claimant was granted a pension to date from March 18, 1905, at \$6 per month for disease of stomach. Upon application filed February 17, 1908, increase was denied him December 17, 1908. The claim for diarrhea, piles, and rheumatism was rejected on the ground of no record or other satisfactory evidence of service origin and continuance and no ratable disability therefrom since date of filing application.

The papers on file in the Bureau of Pensions show:

First. That claimant was strong and healthy before his enlistment.

Second. That he contracted typho-malarial fever in service and was continuously in hospital under treatment for about two months.

Third. That he has been in poor health since his discharge, suffering from chronic diarrhea, piles, rheumatism, and disease of stomach, all undoubtedly traceable to his severe malarial sickness in the Army, and has been more or less disabled for performing manual labor. The evidence as to his prior soundness and his impaired health since his return from the Army comes from neighbors and intimate associates and from physicians who have given the claimant treatment.

Dr. Sidney S. Pugh, of Mobile, Ala., formerly major and surgeon with the Second Alabama Infantry, War with Spain, says:

I have been intimately acquainted with Dr. Turrentine (claimant) since our Army service, and know that his condition has been nothing like it was formerly. He has suffered ever since with chronic malaria, a wrecked digestion, and a resulting general debilitated condition that makes it impossible to attend with regularity to profession in which he is so eminently qualified to make a name and money. When he attempts continuous work it results in illness. He is thus deprived of the reward of his talents and most of the pleasures of life.

The certificate of Dr. H. P. Cole, of Mobile, Ala., filed with this committee, is as follows:

MOBILE, ALA., January 9, 1912.

Hon. Jos. F. JOHNSTON,

Washington, D. C.

DEAR SIR: This is to certify that I have had Dr. Jesse Turrentine under my care at various times during the past five years, finding him suffering from chronic malaria and its effects. He has nervous debility and frequently is absolutely incapacitated from enjoying the large dental practice that his talents should permit.

If there is any financial redress for this condition, he certainly should have it as there is no possibility of his ever obtaining redress in the way of a return to his former physical condition.

It is safe to state that his practice is damaged to the extent of \$100 or more per month. He has malaria at present as the organisms have been demonstrated in his blood within the past three weeks.

Sincerely,

HERBERT P. COLE, M. D.

Senator Johnston, who introduced the bill in claimant's behalf, advises the committee that he is personally acquainted with claimant's disability and suffering; that claimant is in a bad condition, and that he is sure that it was brought on by his service.

After careful examination of the case the committee feel justified in recommending increase of pension to \$20 per month.

S. 4766. William F. Pace served in the Utah Indian War from July 23, 1853, to August 25, 1853, as a private in Col. Markham's Nauvoo Legion, Utah Volunteers. The pension which he draws at present is \$8 per month under the Indian War service acts of July 27, 1892, and June 27, 1902.

It appears, however, that the claimant is 75 years old and evidence filed with this committee shows that he is a helpless cripple from rheumatism, can only get about in an invalid chair, and can do nothing in the way of earning a support. It also appears that he is in indigent circumstances and without means for his support. Acting in this case as we have in similar cases the committee recommend increase of pension to \$16 per month.

S. 4811. Margaret B. Sherman is the widow of Francis H. Sherman, late commodore United States Navy, retired.

Francis H. Sherman was born in Hillsdale, Mich., January 4, 1855. He entered the Navy by appointment as cadet midshipman September 21, 1871. He was promoted ensign February 24, 1880; lieutenant (junior grade) July 1, 1886; and lieutenant April 3, 1892. He attained the rank of lieutenant commander November 22, 1899; commander July 1, 1905; and captain June 16, 1909. During the War with Spain he was in command of the monitor *Passaic*; in 1909 was in command of the battleship *Indiana*; and was on general court-martial and other duty at the Norfolk yard preceding his retirement.

His service was continuous, faithful, and honorable, and extended over a period of nearly 40 years. On June 30, 1910, he was placed on the retired list with the rank of commodore, and died April 7, 1911, of disease, the result of his long service.

Mrs. Sherman is now pensioned under the general law at \$30 per month. She is 52 years of age and was married to the officer September 14, 1882. She states that the estate left by her husband was small, the little savings from a small income, and not sufficient after the settlement of the medical and surgical bills attendant upon her husband's illness to maintain and support her in even ordinary comfort. In view of the long-continued and honorable service of this officer and the necessities of the claimant, your committee are of the opinion that she should have increase of pension to \$40 per month, which is the amount allowed in similar cases.

Your committee report the bill favorably and recommend that it pass.

On page 2, strike out all of lines 9 to 13, inclusive.

This is the case of Thomas McCaven (S. 777). This man was pensioned on account of disease of urinary organs incurred in 1876 or 1877. The pension was terminated upon his reenlistment during the war with Spain and restoration was afterwards denied because the former pensioned cause had ceased to exist.

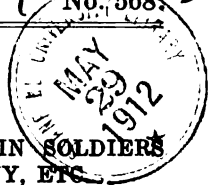
His claim, based on rheumatism and asthma as originating in his second service, was denied because the evidence showed the existence of those diseases before the War with Spain service commenced. Inasmuch as no present disability is shown due to either term of service, your committee think pension should not be granted.

On page 2, strike out all of lines 14 to 17, inclusive.

This is the case of Archie E. Booth (S. 877). In this case the pensioner is receiving the rate of pension recommended by the board of surgeons who last examined him, and it is proposed to double the pension on account of another disability which developed a few months, how many is not shown, after discharge from service. As such new disability is not shown to have existed in service, your committee think the proposed increase should not be allowed.

On page 3, strike out all of lines 9 to 12, inclusive.

This is the case of Jacob Korby (S. 1975). The evidence in this case is exceedingly weak as to any present disability incurred in service. The proposed beneficiary seems to be seriously disabled by a fracture of left hip which was contracted after service. Your committee think the evidence does not justify favorable consideration of the bill.



PENSIONS AND INCREASE OF PENSIONS FOR CERTAIN SOLDIERS
AND SAILORS OF THE REGULAR ARMY AND NAVY, ETC.

APRIL 18, 1912.—Committed to the Committee of the Whole House and ordered to be printed.

Mr. WOOD of New Jersey, from the Committee on Pensions, submitted the following

REPORT.

[To accompany H. R. 23515.]

The Committee on Pensions, to whom was referred sundry bills granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, etc., submit the following report:

This bill is a substitute for the following House bills referred to said committee:

H. R. 538. Hugh J. McKane.	H. R. 13215. Manville M. Palmer.
5898. Kate C. G. Ewing.	13698. Simon P. Kieffer.
6469. William Alexander.	15636. Leon C. Gray.
7668. Thomas M. Davis.	15765. Evelyn Barnette.
9736. Catharine Pugh.	17529. Noah Y. Ream.
9789. Frank Shaver.	21089. Annie M. Hayes.
13175. Catherine Werner.	22268. John Wiczorek.

H. R. 538. Hugh J. McKane, of National Home, Wis., during the War with Spain served as a private in Company F, Second Regiment Mississippi Volunteer Infantry, from July 13 to December 20, 1898, when he was mustered out with the company.

He applied for pension March 11, 1899, on account of chronic dysentery, chronic diarrhea, and piles, alleged to have been contracted at Jacksonville, Fla., in July or August, 1898.

That claim was rejected February 7, 1901, because of no disability from the alleged causes since filing the application. It was reopened, and again rejected for the same reason in April, 1906.

January 6, 1909, he filed another claim alleging the incurrence, in August, 1898, of malarial fever and resulting malarial poisoning affecting liver, spleen, and urinary organs. Also disease of mouth and resulting loss of teeth, rheumatism, stomach and bowel trouble, and disease of rectum, result of dysentery, and May 28, 1909, he alleged kidney and bladder trouble.

The claim was rejected—for rheumatism, disease of mouth, kidneys, bladder, and urinary organs, for lack of record, medical, or other satisfactory evidence of service origin, existence at discharge, or afterwards; for loss of teeth as a result of disease of mouth, because the disability existed before service, as shown by War Department records; for malarial fever, malarial poisoning, disease of stomach, liver, spleen, and rectum, because the evidence failed to show existence at discharge.

Reopening has since been twice denied, the last time in January, 1911.

The War Department records show the soldier 33 $\frac{1}{4}$ years of age at enlistment and to have had 11 false teeth at that time.

The company muster-out roll reports him sick July 25 and 26; sick in hospital July 26 and 27; absent, sick in hospital, from September 1 to 18; and on furlough, regular, from September 19 to November 27, 1898.

The medical records show him treated in regimental hospital for intermittent fever July 26 and returned to duty July 27; he was also treated from August 1 to 6, 1898, for acute diarrhea.

On examination, November 30, 1898, preliminary to discharge the soldier claimed to have piles and dysentery, contracted in July, 1898, at Jacksonville, Fla.

His captain said he had been sick a great deal in service with bowel trouble, as he was advised by physicians. A surgeon certified that the soldier then had—

chronic dysentery, small hemorrhoid. Dysentery occurred on the 26th of July, Jacksonville, Fla. Hemorrhoid occurred 18th of September at Lauderdale Springs, Miss.

One-quarter disability.

The claimant was examined by a board of surgeons at Chicago, Ill., July 10, 1900. Height reported, 5 feet 8 inches; weight, 148 pounds. The board said he was fairly well nourished, skin healthy, liver and spleen normal, no abdominal tenderness, no piles, fissure, fistula, or prolapsus, rectum healthy, no rheumatism or heart disease. No disability found and no rating recommended.

He was examined by a board at Milwaukee, Wis., April 11, 1906. Weight, 148 pounds. They reported skin and conjunctiva healthy, showing no jaundice; nutrition fair; liver and spleen not enlarged; no piles or other disease of rectum; heart and lungs normal.

Left arm amputated at upper third; healthy. The arm was lost in a railroad accident after service.

One witness stated that the soldier had dysentery, piles, and malarial trouble in service.

The colonel of the regiment said the soldier had malaria in August, 1898.

Another witness testified that the claimant had chronic diarrhea off and on from discharge to 1901. One said he had diarrhea, piles, and malaria for three months in 1899. Another stated that he had pain in stomach and bowels and malaria in 1906, 1907, and 1908.

A physician testified that he prescribed for the claimant for diarrhea a number of times in 1901. Another stated that an examination made by him March 11, 1904, showed the existence of hemorrhoids and chronic diarrhea on that date.

A layman testified, August 12, 1909, that the claimant had complained of diarrhea, piles, and malaria since January, 1905.

A report from the Western Branch, Soldiers' Home, shows that upon his entrance July 12, 1904, he had chronic diarrhea and had lost his left arm. The length of his stay there is not shown. The report was made in July, 1908. There is no record of attendance upon sick call and no hospital treatment.

The claimant was admitted to the Mountain Branch Soldiers' Home May 21, 1908. While there, period not shown, he was at sick call a few times for diarrhea, loss of appetite, rapid action of heart, muscular pain and constipation, and, on examination July 29, 1908, hemorrhoids were found but no evidence of diarrhea or dysentery.

A physician testified that he attended the claimant, while an inmate of the Montgomery County (Ohio) Infirmary from February 1 to March 11, 1909, for attacks of chronic dysentery and rheumatism.

In an affidavit accompanying the bill the petitioner states that he is totally disabled and without any means of support.

A report from the National Soldiers' Home, Milwaukee, Wis., dated November 15, 1911, shows the claimant admitted there April 27, 1905, with loss of left arm, chronic intestinal catarrh, and hemorrhoids; discharged April 11, 1906; readmitted February 10, 1908, disabilities, loss of left arm, slight cardiac hypertrophy; transferred to another branch of the home May 21, 1908, readmitted August 11, 1911; disabilities, loss of left arm, chronic constipation, and defective vision; sick call treatment for loss of appetite first quarter 1911-12; for rheumatism, hemorrhoids and indigestion, second quarter 1911-12.

Two lay witnesses state that the petitioner's health has changed greatly since his military service; that he is now a broken-down cripple, suffering almost continually with severe rheumatic pains and poor eyesight; that he is a sober, industrious man, and unable to support himself.

Two others say he was a strong healthy man before service; that when he returned from the Army he was sickly and his eyes were weak, and that he is a man of good moral character and without any means of support.

Upon these facts shown in evidence your committee are convinced that the petitioner is disabled from some of his alleged causes of disability contracted in service, and they respectfully recommend the allowance of pension at the rate of \$18 per month.

H. R. 5898. Kate C. G. Ewing, of Smiths Grove, Ky., is the widow of Lee M. Ewing, who served during the War with Spain as a private in Company B, Third Regiment Kentucky Volunteer Infantry, from May 4 to June 22, 1898, when transferred to the Fourth Company, United States Volunteer Signal Corps, United States Army, from which he was honorably discharged October 1, 1898, a first-class private.

The soldier applied for pension June 6, 1902, stating that in Porto Rico, in September, 1898, he "contracted laryngitis, by which he has gradually grown worse until it has attacked the lungs." The claim was rejected July 27, 1903, because of no record or other satisfactory evidence showing origin in service of the alleged laryngitis and resulting disease of lungs.

The War Department records show the soldier 35 years of age at enlistment. No physical defects were noted at that time. The medical records show him treated September 3 to 5, 1898, for malarial fever, and returned to duty. He returned to the United States September 13, 1898.

Upon examination at discharge at the Washington Barracks, October —, 1898, the soldier stated that he had no disability, and was corroborated by his commanding officer and a surgeon.

The claimant was examined by a board of surgeons at Bowling Green, Ky., August 20, 1902. Height 5 feet 9½ inches, weight 85½ pounds. The board reported the claimant totally disabled by disease of lungs and recommended a rate of \$72 per month.

They also rated 17/18 for laryngitis.

Jerry B. Thomas, M. D., testified September 24, 1902, that he had that day examined the claimant and found him totally disabled by chronic bronchitis, ulceration of larynx; that he—

first treated him in the latter part of October, 1898, when he first came home from the Army; he then had sore throat and inflammation of throat and lung tissue, and was under my treatment for 12 months, and improved so little that I advised him against going to work as telegraph operator; but he left home and went to Texas, where I treated him by prescription and correspondence until last May, when he came home, and I have treated him ever since.

He said also the soldier was stout and healthy before he left home.

June 20, 1903, the same witness testified that he had—

treated the claimant, Lee M. Ewing, first when he came home from the Spanish War that October or November, 1898. He then suffered of bronchitis, his throat was very sore, etc.

On July 3, 1903, he testified that he thought the claimant came to him for treatment October 20, 1898; that he could not give the exact date, as he had no record; that he had sore throat; tonsils and larynx and palate were so swollen he could not take food without great pain and had to live on milk and soup for five or six weeks; that the soreness moved down to the bronchial tubes; that he gave him local and constitutional treatment for the first two months; then he got better and worked as telegraph operator for two months, and then had to stop until September, 1899, when he went away, and witness did not see him until October, 1901; but while away he prescribed for him every month or two by mail.

Dr. L. B. La Rue, testified, September 24, 1902, that the soldier then had a clear case of tubercular consumption.

Dr. W. R. Wilson stated, July 7, 1903, that the claimant then had tubercular laryngitis in advanced and incurable stage.

The widow applied for pension August 4, 1903, stating that the soldier died July 14, 1903, of tubercular laryngitis.

The claim was rejected September 12, 1903, on the ground that there was no record or medical evidence of the existence of the alleged fatal laryngitis in service.

Drs. L. B. La Rue, J. B. Thomas, and W. R. Wilson testified jointly that the soldier died July 14, 1903, of inanition resulting from laryngitis.

A bill in behalf of this claimant was adversely considered by this committee in the Sixty-first Congress, and no evidence has since been filed.

In an affidavit accompanying the pending bill, the claimant, who was married to the soldier October 29, 1898, and who is now about 43 years of age, states that she owns a house and lot in Smiths Grove, Ky., of the value of \$1,000, and that she has no income.

In her petition filed with the bill in the Sixty-first Congress, the claimant stated that she owned a homestead worth \$1,200 and that her income from all sources was \$400.

In an unsworn statement she said her health was good, but that her mother's poor health was a serious drawback to her in her work; that she earned \$1 per day wages and had two small children to support. In her application for pension she alleged that she had two children by the soldier, born, respectively, August 1, 1899, and September 4, 1901.

The only evidence filed with the bill in the Sixty-first Congress, other than that relating to marriage, was an affidavit by Dr. Jerry B. Thomas, executed February 7, 1910, in which that witness said:

He says he now recalls the fact of having sent said Lee M. Ewing a prescription for sore throat to Porto Rico in August, 1898. He says that he stated heretofore in an affidavit that he never heard of his having bronchitis or throat trouble until he came home, in 1898, and he did not state that he sent to this affiant for said prescription aforesaid in 1898, which he sent to him, and that said fact escaped his recollection at the time he made his former affidavit. Affiant says that when said Ewing came back to Smiths Grove, Ky., after his discharge, in October, 1898, he was then complaining of sore throat, and on examination affiant found that said Ewing had an exaggerated case of laryngitis. Affiant treated him for several months for same. That said Ewing in 1898 wrote affiant from Poplar Bluff, Mo., for medicine for his throat, and also from Beaumont, Tex., and Crowley, La., for treatment for the same trouble.

The soldier stated in his claim that he could not get evidence to show his alleged disability in service, as, under the circumstances, the men did not know his condition. He said:

All the evidence I can furnish is from my family physician, who knew my condition when I enlisted and who examined me on my return, who began treating me and who has treated me ever since.

Your committee is convinced by the evidence in this case that the soldier's death was due to his military service. They respectfully recommend the allowance of pension at the rate of \$12 per month, with \$2 per month additional on account of two minor children of the soldier until they, respectively, reach the age of 16 years.

H. R. 6469. William Alexander, of Veterans Home, Cal., was in the United States Navy during the War with Spain from July 6 to August 27, 1898, when discharged because his services were no longer required. He enlisted at San Francisco, Cal., and was discharged there, having served as a landsman on the United States steamer *Independence* to July 9, 1898; on the *Iroquois* to August 27, 1898; and on the *Independence* on the last-named date.

On July 27, 1909, the petitioner applied for pension, stating that he contracted disease of lungs and rheumatism in July, 1898, from exposure in line of duty on the South American coast.

The naval records show the sailor's state of health not good seven days while on the *Independence*, and that he was not physically qualified for reenlistment.

They show, also, that he was admitted to the naval hospital, Mare Island, Cal., August 20, 1898, with acute bronchitis—origin in line of duty, due to exposure on duty.

The hospital records show origin of bronchitis at San Francisco, Cal., August 10, 1898, it appearing from the record that—

There is good evidence that it was in line of duty, the facts being as follows, viz: That while standing a night watch in San Francisco Bay he contracted quite a severe cold, which settled all over him. The administration of quinae sulph. in 0.2 gm. doses three times a day and hot potions at night had little effect.

The claim was specially examined in 1910, and the evidence shows that the claimant was sound at enlistment. The testimony of witnesses who knew him from discharge shows that the claimant coughed and complained of pains in his lungs always after service; that he would get better at times, but that the cough and pain hung to him. The witnesses say his disability progressed steadily from discharge. The claimant testified that he first caught cold while on a cruise off the Central American coast and while he was employed as fireman, and by getting wet on deck; also, that he added to his cold while on night watch at San Francisco, Cal., on August 10, 1908, after the ship's return from the cruise. He said that—

After my discharge I always had the feeling that I would build up and did not go to a doctor for treatment, but I did go to drug stores and got cough medicines. Sometimes I would talk with the druggist over my case, and he would fix up something for the pain in the lungs, but, as I had no regular place to go, I can not furnish any testimony of any of the many drug stores I visited.

He said he had no medical treatment until after he had the first hemorrhage, and then he went to Dr. McDonald.

Dr. A. J. McDonald testified that the claimant came under his professional observation September 26, 1908. He was then suffering from bronchitis and hemoptysis, as indicated by his sputum. The witness made no clinical record of the case and could not say, from recollection, whether he regarded it as a case of chronic bronchitis or one of recent origin nor whether the hemoptysis originated from tuberculosis of the lungs. Did not remember the history given. He stated that in his opinion if the trouble had originated in 1898 it would have been much worse than it was in 1908.

The records of the Veterans' Home, Cal., show that the petitioner had been under treatment there for the five months preceding September 4, 1909, when the report was made.

The claimant was examined by a board of surgeons at Napa, Cal., October 6, 1909. They found no disability from rheumatism but described disease of lungs and recommended a rate of \$12 for that disease.

Filed with the bill is evidence, medical and lay, showing that the petitioner is so disabled by pulmonary tuberculosis as to be totally unable to earn a living by manual labor.

It is shown also that he is without property or income and is dependent on others for a support.

The special examiner who investigated the case at San Francisco, Cal., said of the claimant:

My inquiries, both here and at the Veterans' Home, elicited the information that claimant is an honest, reliable young man of steady habits generally and is rated good as to truth and veracity.

Your committee is convinced by the evidence in this case that the petitioner is disabled by his naval service, as alleged. They respectfully recommend the allowance of pension at the rate of \$20 per month.

H. R. 7668. Thomas M. Davis, of Durants Neck, N. C., served as a fireman, first class, in the United States Navy from January 7, 1904, to April 7, 1906, when discharged by reason of physical disability.

He applied for pension June 21, 1906, stating that in July, 1904, he received a stab wound in the left side, resulting in an abscess.

The claim was rejected November 3, 1906, on the ground that the alleged wound of left side was not due to or an incident of the performance of any act of duty by the claimant as a sailor in the United States Navy and was therefore not incurred in line of duty, as shown by the Navy Department records.

The Navy Department records show the sailor—

Admitted July 17, 1904; vulnus incisum (left costal). Medical journal states: "Origin not in line of duty; injury received from unknown party while patient was on liberty. Received about 2 a. m. in streets of Trieste." * * * Incision found to be between seventh and eighth ribs, about 10 inches in length.

Also average standing for sobriety, 4.6 per cent out of a possible 5.

The sailor was continuously under treatment from the date he received the wound until his discharge, on a report by a medical survey made March 28, 1906, "as unfit for service" by reason of "complete ankylosis of left hip; inability to extend completely the left knee;" and "not in line of duty; indirectly due to infected wound received in a street brawl at Trieste, Austria, while attached to the U. S. S. *Iowa* in July, 1904."

No medical examination was made in the claim, and no evidence, except a statement by the claimant, was filed. He stated September 25, 1906:

That on or about the 21st day of July, 1904, while in Trieste, Austria, on the U. S. S. *Iowa*, and was ashore on leave of absence, was assaulted without provocation by an unknown assassin with a knife and received a stab wound in the left side near the heart; was taken aboard the U. S. S. *Iowa* and on August 3, 1904, was taken to the military hospital in Palermo, Sicily, where he remained until June 9, 1905. While in the hospital in Palermo abscesses formed on the left leg and left hip joint. The leg being left unmoved and unsupported it turned one-quarter the way round in the hip joint, and the joint grew solid, making an ankylosis of the hip complete. On June 9, 1905, he left Palermo on the English ship *Ulltonia*, of the Royal Mail Service, and arrived in the Brooklyn Naval Hospital on July 1, 1905, where he remained until April 7, 1906, when he was discharged, * * * being totally disabled to do manual labor.

Relative to the circumstances under which his wound was received the petitioner testified March 20, 1912, as follows:

That affiant wishes to state how his injury occurred. That the U. S. S. *Iowa* was at Trieste, Austria, in July, 1904; that affiant was on shore leave and was walking along the street of the city alone, and stopped at a corner where three men were standing, and asked them if they could tell him where the landing stage of the American ships was located; the three men were Italians to the best of his knowledge and belief, and were strangers to him; that in reply to his question one of the men quickly used these words, as he understood, "Margurita, Margurita"; that affiant said, "No; to the devil with women, he wanted to get aboard the ship." That affiant did not speak angrily and no other words were spoken, and that immediately the man who spoke to him jumped toward affiant and cut affiant with some sort of sharp instrument; that affiant realized instantly that he was badly cut and ran across the street and fell in front of a hotel, and cried for help; that among others some United States sailors came to him, and he asked if there was anyone from the U. S. S. *Iowa*, to which they replied, "No," but a first-class boatswain's mate said that he would report affiant to the U. S. S. *Iowa*; that this mate tied affiant's handkerchief around his wound and helped to carry affiant to the hospital; that no one of affiant's shipmates, nor anyone else, saw the occurrence at the time he was injured except the three men whom he met on the corner; that affiant was not intoxicated at the time, but was perfectly cool and collected; that in fact affiant led a temperate life and his discharge shows that he stood

above "very good" in sobriety. That Dr. Jenness, junior surgeon of the U. S. S. *Iowa*, came ashore after affiant the next afternoon, and came to the hospital and only saw the nurse, telling her that he wished to take affiant aboard the ship; that Dr. Jenness never even asked affiant anything about how the injury occurred, and in making his report he must have based the same entirely on supposition; that Dr. Jenness told affiant some time afterwards in the Brooklyn hospital, after affiant returned to the United States, that "he never expected to see him again"; that this affiant wishes to repeat that his injuries were caused by an unprovoked assault, that he never engaged in any altercation with the three men, and that he did nothing whatever by way of insult or otherwise to provoke the man to attack him, and he hardly had time to realize what was happening until after he had been cut; that affiant expresses the belief that these three men were not angry with him, but that they hated the uniform.

In an affidavit filed with the bill the petitioner states that he is wholly incapacitated for earning his support by manual labor by reason of ankylosis of left hip, numbness of right leg and foot, stiff back and kidney trouble; that he owns no property, real or personal, and that his annual income is "very uncertain, and at best, \$50 to \$100."

No evidence has been filed, except such as is contained in the following letter dated March 27, 1912, from the Secretary of the Navy to Hon. John H. Small, who introduced the bill:

MY DEAR CONGRESSMAN: With further reference to your letter of March 19, which was referred to Passed Asst. Surg. B. F. Jenness, United States Navy, for a statement relative to the origin of the injury sustained by Thomas M. Davis, formerly a fireman on the U. S. S. *Iowa*, the department has received a report from Dr. Jenness in which he states as follows: "No further facts than those stated in the medical journal of the U. S. S. *Iowa* were obtainable in the case of Thomas M. Davis, fireman first class, United States Navy. The patient showed no evidence of intoxication when seen at the hospital the day following the injury.

"The patient admitted being in the company of natives on the streets at an early morning hour, but gave no cause for the assault."

In a letter dated April 9, 1912, Mr. Small, M. C., states that:

I know this man and I would not hesitate to testify as to his good character. * * * Davis himself has always borne a most excellent character. * * * In addition, I may say that Davis is a helpless cripple, absolutely and completely disabled from performing any labor of any kind. Neither has he any property. * * *

It is the judgment of your committee, upon the history of this case presented in the record, and the petitioner's statements, as to the manner of incurrence of his wound, that such wound was due to service. They respectfully recommend the allowance of pension at the rate of \$20 per month.

H. R. 9736. Catharine Pugh, of Seminole, Tex., is pensioned at the rate of \$12 per month as the widow of James Pugh, late private in Capt. Samuel Carter's Company, Virginia Militia, from August 13 to December 6, 1813, in the war of 1812.

The pension was allowed June 20, 1883, under the act of March 9, 1878, at the rate of \$8 per month. The rate was increased to \$12 per month under the act of March 19, 1886.

In an affidavit executed December 12, 1911, and filed with the bill, the petitioner states that she is 94 years of age; that she owns household goods of the value of \$100, three cows of the value of \$60, and that her annual income is \$154.

In an affidavit executed January 24, 1911, and filed with a bill in the Sixty-first Congress, the petitioner stated that she was then 90 years of age, and in her declaration for pension executed March 30, 1883, she stated that she was then 48 years of age. She was married to the soldier November 24, 1865.

In an affidavit executed March 7, 1912, the petitioner says, in explanation of her discrepant statements about her age, that she is uneducated, can not write, and is so nearly blind she can see but little; that the ages she has heretofore given were not stated from personal knowledge, as she does not know the year of her birth, but the one made in which she said she was 94 years old was made upon the statement of the lady who last had possession of the family Bible; that the Bible had been lost through fire, but that she, the claimant, was 94 years of age; that she and her husband had just moved to Austin when he enlisted and went into the Mexican War, and that she was then the mother of four children by a former marriage.

Evidence filed shows the petitioner to be practically without means of support, and, as shown by a physician's testimony, to be wholly disabled by age and physical infirmities.

The gentleman who introduced the bill stated that—

I beg that you will expedite the consideration of this bill in every possible way. Mrs. Pugh is 90 years old, has no property, and is one of the few remaining pensioners on account of the War of 1812.

In view of the pensioner's great age and necessitous circumstances, and in accordance with precedent, your committee respectfully recommend the allowance of pension at the rate of \$20 per month in lieu of that she is now receiving.

H. R. 9789. Frank Shaver, of Mononga, W. Va., was a private in Company F, First Regiment West Virginia Volunteer Infantry, during the War with Spain, from June 15 to November 11, 1898, when he was discharged by telegraphic instructions from the Secretary of War.

He applied for pension September 26, 1904, stating that he contracted lung trouble from exposure at Chickamauga Park, Ga., about July 15, 1898.

November 23, 1908, he alleged the incurrence of disease of rectum, dysentery, and malarial poisoning.

The claim was rejected, after special examination, June 22, 1906, because of no ratable disability from dysentery and because the evidence failed to reasonably connect any present existing disease of rectum with military service. It was rejected also as to dysentery on the ground that the evidence did not connect that disease with military service, and disease of lungs was rejected for the same reason. The claimant withdrew the claim based on malaria.

The Assistant Secretary of the Interior affirmed that action December 6, 1906.

The claim on account of malarial poisoning was rejected March 16, 1909, because of no ratable degree of disability therefrom since the application was filed.

The War Department records show no defect at enlistment. It was stated that the soldier had had fever five years ago. At discharge he disclaimed having any disability, and was corroborated by his captain and a surgeon.

He was treated from July 11 to 15, 1898, for hemorrhoids, in line of duty.

Diagnosis also shown as fistula, internal; July 15 to 23, 1898, for fistula, internal, in line of duty; and October 22 and 23, 1898, for acute indigestion, in line of duty.

The claimant was examined November 16, 1904, by a board of surgeons at Fairmont, W. Va. They reported his age as 32 years, height 6 feet 1 inch, and weight 157 pounds, and said he was not very well nourished, skin pale but free from eruptions, chest flat and at rest 35, full inspiration 37½, full expiration 33 inches. Coarse mucous râles are heard over both lungs, but no dullness is found. Cough is present. The claimant suffers from chronic bronchitis. Rate, eight-eighteenths.

He also suffers from chronic nasopharyngeal catarrh. Mucous membrane thickened and inflamed. Turbinates enlarged, tubes open, tonsils enlarged, left side of septum ulcerated. Rate, four-eighteenths.

Specific gravity of urine 10.12, light clear color. Neutral, no sugar, nor albumen. Diseases permanent.

The same board examined him February 15, 1905, and reported his weight as 165 pounds. They found the same condition as to bronchitis and rated eight-eighteenths, and said "there is no evidence of tuberculosis."

They also found practically the same condition as to nasopharyngeal catarrh and rated it at six-eighteenths.

No dysentery. They found sensitive and inflamed rectum, hemorrhoidal vessels engorged, one internal pile, one-half inch, which bleeds at times. No ulceration of pile nor rectum, no fissure, fistula, stricture, or prolapsus.

Specific gravity of urine 10.18, acid, light straw, no sugar, or albumen.

They also found some heart trouble, and rated it at four-eighteenths.

He was examined by a board of surgeons at Clarksburg, W. Va., January 6, 1909. They found lung expansion of 2½ inches, dullness on percussion over right apex anteriorly and left scapula region. Percussion over remainder of lungs not normal, bronchial breathing over dull areas, few râles over other areas. History of night sweats, some spitting of blood, coughing, and shortness of breath. Heart normal. No evidence of malarial poisoning.

Tongue broad, flabby, thick coated white; abdominal wall poor tone, hepatic and splenic dullness normal. Sphincter poor tone, piles are internal, filled with small pile tumors; no external piles. Rating, five-eighteenths.

They said:

This man has tuberculosis; is unable to do much, if any, manual labor.

The claimant stated that he was sound at enlistment, and that he did not claim disability at discharge for fear he would be detained in hospital, and that because he did not claim to be disabled the surgeon did not examine him.

The evidence all tends to show the soldier sound and free from disability of any kind at enlistment. Dr. W. H. Kunst testified that he examined him at enlistment and that he was then—

perfectly sound in every respect. The examination made before enlistment was as complete and thorough as it was possible to make, and I found him both physically and mentally sound in every respect.

That witness also testified March 15, 1906, that he had treated the claimant after service, but kept no record, but the treatment was within the last year or two. He then was suffering from emaciation, gastrointestinal indigestion, nasopharyngeal catarrh, chronic bron-

chitis, and he thought some valvular heart trouble. The treatment extended over a period of three or four months or longer. He said:

I am not at all sure that his lung trouble was not tubercular in character, but I made no microscopical examination. I considered his disease permanent in character.

S. S. Davidson, comrade, testified that the soldier began complaining at Chickamauga, Ga., within 90 days of enlistment; he had diarrhea and was taken to hospital. When he came back, he looked to be in bad shape, was weak, had a bad color and not much breath; gave out quickly. Saw him fall out of line once and fall down in drill. He continued that way. Since service he has often complained, was short winded, and has had a cough.

J. R. Crayton, comrade, stated that the soldier was sick in service, but he did not know what ailed him, but it was common talk that he had consumption. After he had the sick spell he looked awful bad; he was awful poor and yellow. He remembered the soldier complained of diarrhea and disease of rectum since service.

George T. Peak, comrade, testified that the soldier's health seemed to be very bad in service, was coughing all the time after they got to Chickamauga. He was weak and seemed to have diarrhea. His cough was deep and hollow and some of the boys thought he had consumption. Did not know how he contracted the cough, but all had to lay on the ground and were much exposed.

J. N. White, comrade, stated that the soldier complained at Chickamauga and was sent to hospital. Complained of his back and of his breast being weak; pain through his chest. He also had diarrhea and claimed to have piles. He also coughed. The witness said:

I tented with him for about six weeks from the time we went to Knoxville until he was mustered out. He got a little better after we went to Knoxville, but the improvement was temporary. While we were at Knoxville, I wrote to Senator Elkins asking if there was any way by which he could be mustered out of service on account of his health. * * * Shortly after I wrote the letter he was mustered out.

Cuthbert Gilham, assistant surgeon of the regiment, testified that the soldier was a constant complainer of slight ailments during service. He could not recall specific causes of complaint, but said the soldier might have been seriously ill during the latter part of service without his knowledge; that he had an indistinct recollection of his having diarrhea, and the affiant was impressed with the idea that many complaints were made to avoid hard service.

L. M. Kuhn stated that after service the claimant complained of pain in his breast and of piles; those complaints dated from his return from service and continued thereafter.

A considerable number of other lay witnesses testified to the soldier's ill health after his return from the Army, stating that he complained and was doctoring. They said he complained of piles, of his breast hurting him, and that he had a cough, and complained of shortness of breath.

Dr. H. S. Falconer said he treated the claimant as a contract surgeon for a coal company; the claimant was a coal miner; that he kept no record, and the time was not fixed, but he said he had known the claimant then, March 14, 1906, about four years; the treatment lasted about 30 days; the patient had a dry, hacking cough, slight elevation of temperature, night sweats, lost weight, and was weak; that the history he gave was a severe cold contracted

in the Army which led to bronchitis, and then to what the witness thought was the beginning of consumption.

Dr. J. P. Alkire testified that he treated the claimant in 1904 and 1905 for bronchitis and piles. He thought the claimant's occupation was likely a contributing cause for the bronchitis.

In an affidavit accompanying the bill the petitioner claims to be totally disabled by dysentery and rheumatism. He states that he owns no property and that his income is \$100 a year. Other witnesses corroborate his statement as to lack of property and impaired health.

Dr. J. A. Riedy states that he has had the petitioner under treatment for five years for sciatic rheumatism.

Other witnesses state that the petitioner has been a sufferer with chronic rheumatism since his Army service.

Upon the foregoing statement of the facts in this case your committee believe it is shown that the petitioner is greatly disabled by his military service. They respectfully recommend the allowance of pension at the rate of \$24 per month.

H. R. 13175. Catherine Werner, of East Savannah, Ga., is the mother of George C. Werner, who served as a private in Company M, First Regiment Georgia Volunteer Infantry, during the War with Spain, from May 7 to 31, 1898, and from August 1 to November 18, 1898, when mustered out with the company. He served from May 31 to August 1, 1898, as a musician of that regiment.

On October 26, 1905, the claimant, aged 50 years, applied for pension as the dependent mother of the soldier, stating that he died January 20, 1904, of disease of heart due to exposure and hard marching and drilling incident to his service; that her husband died October 31, 1884; that she had not remarried, and that she was wholly dependent on the soldier who left neither widow nor minor child.

The claim was rejected February 5, 1906, on the ground that the soldier's death from disease of heart was not due to his military service, but that said disease existed prior to his enlistment, as shown by the records of the War Department.

The War Department records show the soldier 23 years of age at enlistment; that he was treated June 30 to July 1, 1898, for heart disease, mitral regurgitant murmur; recommended for discharge; July 2 to 30, 1898, for malaria, intermittent, in line of duty, returned to duty.

Upon examination, November —, 1898, preliminary to discharge, the claimant disclaimed having any disease. His captain, George W. Drummond, certified that he did have disease. He said:

This man has been relieved from duty for some time past on account of some affection of his heart.

As to when the disability was incurred he said: "Don't know, but believe it was prior to enlistment," and that he did not know when or how the disease was incurred.

A surgeon certified, November 4, 1898, that he had examined the soldier; that he had "valvular heart lesion, mitral and aortic stenosis. Right oblique inguinal hernia," and "incurred before having been mustered in the service."

George W. Drummond, soldier's captain, testified September 27, 1905, that the soldier was a member of a company in the Georgia State Militia a couple of years; attended weekly drills regularly and always seemed to be in good health and spirits; when called into the United States service he was examined in the presence of the witness and passed a satisfactory examination; in a few days after muster-in to United States service, on May 12, 1898, the company began arduous work, long marches and daily drills; Werner kept up better than many others for a while, he would show by shortness of breath, blue nails, lips, and finger tips, after very long march, the effect upon his system; these symptoms gradually grew worse and finally about July 1, 1898, the witness instructed his first sergeant to relieve the soldier from guard or any hard duty and give him only the lightest work. Also, that he frequently met soldier on the way to work after service, and was told he was under treatment for heart trouble. The soldier was his mother's only son and support, and since his death she has eked out a bare existence by keeping a little shop and the assistance of a daughter who works in a store. The witness also said:

I am confident Werner's death was caused by heart disease contracted while in the Army, caused by the many hardships which the raw recruit was compelled to undergo.

The public record of death, made on the certificate of Dr. W. E. Fitch, shows the soldier died January 20, 1904, of valvular disease of heart, "duration since December 25."

Dr. Fitch testified that he was called to see the soldier during the holidays of 1903; he had la grippe and valvular heart lesion, aortic regurgitation with mitral insufficiency; attended him till his death, January 20, 1904. "His death was no doubt hastened by exposure incident to and during service as a soldier."

Dr. A. A. Morrison testified that he was called to see soldier in connection with Dr. Fitch, and treated him from January 1 to 27, 1904, for la grippe and valvular disease of heart.

In an affidavit filed with the bill the petitioner states that she has four daughters, three married and one single; that she owns no real estate or personal property; that she has no income except what she earns with her own hands and some little assistance from her daughters; that she is the soldier's mother and his father's widow.

George W. Drummond made an affidavit August 22, 1911, similar to the one herein mentioned, and says:

If there was anything wrong with Werner's heart this should have been discovered by the examining surgeon, and he should not have been passed to undergo the ordeal which sapped his strength and developed all of his weakness and resulted finally in his death.

Other witnesses state that the claimant is the soldier's mother and widow of his father; that the soldier was not married and left no widow or minor child, and that the claimant is entirely dependent upon her own exertions for a living.

Certificates from the proper officers show the claimant untaxed.

Your committee is convinced by the evidence in this case, summarized in the foregoing, that the soldier's death was a result of his military service. They respectfully recommend the allowance of pension at the rate of \$12 per month.

H. R. 13215. Manville M. Palmer, of Hagarville, Ark., during the War with Spain was a private in Company L, Third Regiment Missouri Volunteer Infantry, from May 4, 1898, to January 8, 1899, when mustered out with a detachment.

He applied for pension February 21, 1899, on account of disease of left leg, atrophy of testicles caused by measles, and catarrh. Pension at the rate of \$6 per month from date of filing application was allowed September 23, 1902, on account of disease of left leg, result of typhoid fever. That rate was increased February 17, 1906, to \$8 per month from January 17, 1906. Claims for increase have since been three times rejected, the last time on November 23, 1910.

At the date of first allowance the claim for atrophy of testicles and catarrh was rejected for lack of evidence showing service origin, and on November 23, 1910, a claim for additional pension based on disease of throat and bronchial affection and resulting tuberculosis was rejected because of no record or medical evidence of the existence in service of the alleged diseases.

The War Department records show the soldier 21 years of age at enlistment, and that he was not with his company at any time after being sent to hospital in August, 1898. They show him treated for acute diarrhea June 18 to 20 and August 27, 1898; August 4 and 5, 1898, in Second Division hospital for probable typhoid fever, and from August 5 to December 1, 1898, continued high temperature, in line of duty, complicated with typhoid fever; diagnosis also shown as typhoid fever and symptoms of measles.

The records also show him on furlough from hospital from November 29 to December 29, 1898, and that while in hospital from August 5 to December 1, 1898, he "during convalescence, developed measles."

On examination at Fort Logan H. Roots, Ark., December 28, 1898, preliminary to discharge, the soldier claimed to have catarrh in head, milk leg due to typhoid fever, and atrophy of left testicle due to measles, saying that he was first taken sick at Camp Alger, Va., about August 3, 1898, on guard duty in rain, and other exposure before being fully equipped. A surgeon certified that he had examined the soldier and found "entire left leg swollen, especially below the knee," which then disabled him three-fourths.

The claimant was examined by a board of surgeons at Fort Worth, Tex., May 23, 1900. They reported his height as 5 feet 10 inches and weight as 144 pounds, and recommended a rate of \$6 for disease of left leg and \$5 for atrophy of left testicle. They described severe postnasal catarrh, raw and inflamed inner nares, constant cough; expectorates thick tenacious mucus; rating for nasal catarrh, \$6.

The same board examined him August 20, 1902; same weight reported. They rated disease of left leg at \$6 and atrophied testicle at \$2. They said the postnares and pharynx were inflamed, congested, and swollen; no ulceration, but from entire pharyngeal surface, tonsils, and fauces there is an exudate of mucous matter in large quantities, the larynx and bronchi not involved; rating, \$2.

He was next examined by a board at Little Rock, Ark., January 17, 1906; same weight reported. Disease of leg rated \$8. Chest measurements, 33, 34, 37. Physical signs negative; heart normal. The board said:

Claimant appears perfectly sound, except left leg.

They examined him August 1, 1906; weight, 142 pounds. Disease of leg rated \$8. Chest measurements, 34, 35, 37½. Chest symmetrical; expansion equal. Vocal fremitus and resonance normal. Percussion note is slightly dull over third and fourth intercostal spaces of the right side. Mucus râles are heard over upper right lung. His throat is congested; ulula elongated. He coughs and has a slight temperature. Rate, \$4.

The same board examined him April 1, 1908; weight reported, 144 pounds. They rated disease of leg \$12 and absence of left testicle \$6. Chest measurements, 32, 33, 35. They said:

There is consolidation of the apex of right lung down to the second intercostal space. There is tubercular breathing with mucus and crepitant râles heard over this area. This lung has not cleared up since last examination. * * * He is weak, tubercular, and unable to do manual labor.

That board examined the claimant again December 15, 1909; weight, 135 pounds. Disease of leg rated \$8. Chest measurements, 32, 33, 34½. They said:

There is increased vocal fremitus below right clavicle for a space of 3 inches. There is diminished breathing over this area; dullness below clavicle, with tympanitic sounds below this area. The left lung measures 17 inches; the right, 16½ inches. He has fever this morning and coughs a good deal, with an abundant expectoration. In which are found small, round bodies of calcareous matter.

Rate, \$12.

They also said he was especially debilitated because of an active tubercular process in right lung.

The contention of the claimant is that he has had a bronchial trouble ever since he had typhoid fever in service; that it has gradually grown worse, and that about 1905 he first recognized the fact that he had tuberculosis, which he thinks is the same disease, only worse now, that he has had all the time.

Charles H. Kelly testified August 4, 1910, that the soldier contracted a severe cold at Camp Alger, Va., about May 25, 1898, which developed into la grippe or pneumonia from exposure on duty, and was sent to hospital with fever in August of that year and never returned to the company.

John M. Harris made a similar affidavit July 12, 1910, saying that the cold contracted about June 1, 1898, was followed by a severe throat trouble and hoarseness; that he got better of the throat trouble and hoarseness, but had a hacking cough and pain in his side and back through June and July.

Dr. C. S. Roberts testified December 28, 1900, that he saw the claimant about December 5, 1898, and his condition was then as follows: "Enlarged calf of left leg, with redness and soreness, and catarrh. I prescribed for leg, but did not prescribe for catarrh," and "He again comes to me at present date and I find catarrh worse * * *."

A. H. Teal testified December 20, 1909, to five years' acquaintance with the claimant, and said he had from the first a severe cough, and witness thought consumption, something like a bronchial or lung trouble, which he has had ever since.

L. L. Lothridge stated September 6, 1910, that he had known the claimant since about 1892; saw him December 29, 1898, and was with him daily for two weeks; that he then complained and seemed to suffer a great deal with his leg, and had a hacking cough and sore throat.

T. M. Morgan, M. D., testified March 9, 1901, that he prescribed for the claimant in January, 1901, and about three times a week thereafter, for "catarrh of head, femoral hernia, varicoses, loss of left testicle, and osteomyelitis in left leg."

John A. Johnson, M. D., testified January 3, 1901, that he treated the claimant for, among other things, catarrh, about July 15, 1900.

W. L. Presley, M. D., stated November 19, 1909, that he had prescribed for the claimant at different times during the past five years for chronic throat and bronchial trouble and also tuberculosis, persistent cough, and hectic fever.

Dr. William J. Sparks testified December 11, 1909, that he attended the claimant for two weeks in May, 1901, for subacute pharyngitis and intercostal neuralgia in right side; that he examined him September 10, 1908, and found his condition to have grown worse, tuberculosis taking on an active state in his left lung, had a hectic fever, and persistent cough.

Evidence, medical and lay, filed with the bill shows the existence of tuberculosis for several years past; that the claimant is totally disabled, and that he has no property or means of support except his pension of \$8 per month.

In the judgment of your committee this man is inadequately pensioned for the degree of disability shown to exist from the pensioned causes. They respectfully recommend the allowance of pension at the rate of \$15 per month in lieu of that he is now receiving.

H. R. 13698. Simon P. Kieffer, of Easton, Pa., served during the War with Spain, as a private in Company B, Twenty-eighth Regiment, United States Volunteer Infantry, from August 4, 1899, to May 1, 1901, when mustered out with the company.

He applied for pension October 26, 1906, stating that he fractured his right ankle in November, 1900, in the Philippine Islands; that he contracted malarial fever in January or February, 1901, and that he has suffered from both causes ever since. Also, that on August 13, 1900, he was paralyzed in the right side. Relative to the incurrence of the alleged fracture of right ankle the claimant said that on or about October 25, 1899, while on the transport *Tarter* he slipped and fell, "causing an injury to my right ankle; that while on the march in January, 1900, this same injury broke out again, due to being on my feet too much"; that "this same injury again broke out in July, 1900, due to being on my feet too much," and that "lead and opium was applied to my leg to take down the swelling, after which it became necessary to have my ankle strapped or bandaged continuously on account of its weakness."

That claim was rejected February 1, 1907, because the evidence failed to show a ratable disability from either alleged cause since date of application, and because the paralysis did not originate in service.

Claims were filed April 3, 1909, and August 4, 1910, on account of fracture of right ankle and malaria, and they were rejected for the same reason as before, July 12 and September 29, 1910.

The War Department records show the soldier 21 years and 4 months old at enlistment. No physical defects were noted at that time.

The medical records show treatment from October 24 to November 21, 1899, for slight sprain, right ankle, incurred accidentally

October 23, 1899, while drilling at Presidio, San Francisco, in line of duty; December 15 to 25, 1899, sprain, right ankle, in line of duty; January 16 to 18, 1900, slight sprain, right ankle, in line of duty. The records also show treatment for malarial fever in March and April, 1900; for febricola in June, 1900; for malarial fever in November, 1900, February and April, 1901; for ingrowing toenail, right foot, in December, 1900, and January, 1901; and for seasickness in April, 1901.

Upon examination, April 5, 1901, preliminary to discharge, the soldier said he had no disability of any kind, and was corroborated by his commanding officer, First Lieut. Frederick B. Neilson, and a surgeon.

Upon medical examination by a board of surgeons at Easton, Pa., November 28, 1906, the claimant was reported as 5 feet 8 inches in height and as weighing 160 pounds.

The board said the only evidence found of the alleged fracture of right ankle was "a slight enlargement of the inner malleolus. Motion at ankle joint is good. Not tender. Rate, none."

They found paralysis of right side, and rated it twelve-eighteenths.

They found no malaria—rate, none.

He was examined by a board at Allentown, Pa., April 27, 1910. Of malaria, they said:

Tongue coated; skin dry; epigastric tenderness. Slight distension of stomach; no enlargement of liver or spleen, or tenderness; no inflammation of rectum. Bowels constipated. Has a drop right wrist; opens and closes hand slowly; loss of one-fourth power in grip; no atrophy of wrist or hand; no evidence of an injury. Rate, six-eighteenths.

Of injury to right ankle, the board said:

Leg fractured below knee; fracture extends from 4½ inches below internal condyle to 10 inches below external condyle across tibia. There is atrophy of 1 inch circumference of calf. He is not able to move ankle joint. There is no ankylosis; passive movement, good; walk with a limp. Rate, six-eighteenths.

Bert Roling testified, May 24, 1909, that he had known the claimant for 20 years—

and shortly after he was discharged from the United States Army knew that he suffered from a fracture of right ankle so that he could not perform any manual labor, for reasons that his right ankle gives out—

and is now unable to perform any manual labor.

Henry Edelman made a similar affidavit on the same date.

George F. Donecker testified, June 9, 1910, that the claimant was attacked with chills and fever, pronounced malarial poisoning by the doctors, after his return from service; that the attacks come on from time to time, continuing a week at a time, and has made him unfit for manual labor; that he has known claimant to be sick in bed weeks at a time, and that the attacks frequently make him unconscious and impaired his speech.

Willard F. Wolfe, jr., stated June 16, 1910, that the claimant had malarial poisoning on return from service and ever since, and has frequently been bedfast.

Dr. Robley D. Walter testified December 17, 1906, that he treated the claimant from May 9 to —, 1901, for malaria; that he was under treatment at different times for a period of a year or more, and was one-third disabled.

September 1, 1910, this witness testified that the claimant was permanently disabled as a result of paralysis of right side, which came on four years ago.

Frederick C. Roberts, M. D., testified November 3, 1906, that he treated the claimant about five years ago for tonsilitis and on July 13, 1906, for paralysis of entire right side.

December 17, 1906, he made a similar affidavit.

April 5, 1907, he stated that he was called to see the claimant August 11, 1906, and found him suffering from a stroke of apoplexy affecting his whole right side, face, arm, and leg.

May 28, 1910, he testified that he treated the claimant for chills and fever of malarial origin in May and June, 1909.

September 17, 1910, he stated that the claimant has an enlargement at outer malleolus of right foot and foot is stiff at the ankle, due to fracture:

Right leg also shows results of fracture 4 inches below the knee.

F. E. Ward, M. D., testified May 28, 1910, that he treated the claimant for icterus, neurasthenia, chills, and fever evidently of malarial origin in May, 1910.

In an affidavit accompanying the bill the petitioner states that he is wholly disabled by fractured leg, malarial fever, and partial paralysis; that he owns no property and has no income.

Two witnesses corroborate the petitioner's statement as to his financial condition and say that he is dependent upon the charity of his family for support.

Frederick C. Roberts, M. D., states that the petitioner has been suffering from "right-sided" paralysis since August, 1906, and is unfit for any manual labor. His affidavit was executed November 26, 1910.

Robley D. Walter, M. D., says, in affidavit executed November 25, 1910, that the petitioner is suffering with paralysis of right arm and leg since August, 1906, and is totally disabled and has no source of income.

That the petitioner is now disabled by some of his alleged disabilities is the opinion of your committee, and they respectfully recommend the allowance of pension at the rate of \$8 per month.

H. R. 15636. Leon C. Gray, of Angola, Ind., during the War with Spain served as a private in Company C, Thirty-first Regiment Michigan Volunteer Infantry, from May 8 to 19, 1898, when transferred to the band of that regiment, in which he served as a musician until mustered out with the organization, May 17, 1899.

He applied for pension December 1, 1904, stating that about July 15, 1898, at Chickamagua, Ga., he contracted chronic dysentery, and that in August, 1898, at Chickamagua Park, Ga., he contracted typhoid fever from exposure, etc., incident to the service.

On February 20, 1905, he alleged that general debility and disease of heart and spine were results of typhoid fever and appeared while sick with the fever in September, 1898.

The claim was rejected, after special examination, July 2, 1907, on the ground that there was no medical or other satisfactory evidence showing continuance of dysentery since date of discharge and no record or medical evidence showing treatment for disease of heart and spine in service, at discharge, or prior to 1903, or other satisfac-

tory evidence showing origin of said disabilities in service and their existence at discharge, or for some years thereafter.

Reopening has since been denied nine times, the last time in November, 1911. The Assistant Secretary of the Interior affirmed the adverse actions of the Commissioner of Pensions on July 21, 1911. Upon evidence since filed the Pension Bureau has three times declined to reopen the claim.

The War Department records contain no evidence of medical treatment during service, except as shown by physician's affidavits while at home on furlough. The records show furlough from August 17 to 24 and same extended to November 22, 1898. While on furlough George Howell, M. D., of Lenawee County, Mich., under date of August 22, 1898, reported to the War Department that the soldier was "confined to his bed with fever, possibly malarial fever, but with marked symptoms of typhoid fever, to wit, furred tongue, hemorrhage from the nose, tympanitis of the bowels, and diarrhea," and recommended that the furlough be extended for 30 days. In an affidavit dated September 22, 1898, that physician reported to the War Department that the soldier was "now convalescent from typhoid fever, and yesterday—September 21—was the first day he was able to sit up," and recommended another extension of 30 days of the furlough.

Upon examination, April 27, 1899, preliminary to discharge, the soldier claimed to have chronic dysentery, contracted at Chickamauga Park, Ga., about July, 1898, by change of drinking water and diet.

The commanding officer of the band certified that he had no knowledge of any disability, and a surgeon certified that he found no disability except "slight varicocele, left side, which originated prior to enlistment."

Two additional surgeons concurred in that report under date of May 6, 1899.

The claimant was examined by a board of surgeons at Angola, Ind., June 7, 1905. They reported, age 28 years, height 5 feet 8½ inches, weight 128 pounds, respiration and pulse rate normal, occupation cigar maker. They reported him quite thin and pale, tongue large fissured, yellow fur, skin clear. Liver tender; extends from seventh rib to three-fourths inch above free border. Spleen normal. Bowels tympanitic and very tender, no gurgling. Heart apex impulse not evident on inspection or palpation, 1 inch below and one-half inch to right of left nipple. Action weak and irregular; mitral regurgitant murmur. No dyspnea, cyanosis, or edema.

Pupils of both eyes dilated three times normal size, and respond very slowly to light. Probably due to disease of bulbar portion of brain, reflexes exaggerated. Hair filthy. Chest normal. No venereal disease. No disease of kidneys. Rate eight-eightieths for chronic diarrhea, eight-eightieths for heart disease, and eight-eightieths for disease of spine.

A great many affidavits have been filed in the case; comrades testified in general terms that the soldier contracted chronic diarrhea or dysentery in service, had typhoid fever while home on furlough, and complained many times of heart trouble and pain in his back, or disease of spine; that he said he was short of breath and had trouble with his head and spine.

Dr. Howell, who treated the soldier for typhoid fever during service, had no knowledge of dysentery except that which usually accompanies typhoid fever. He did not treat him after September, 1898.

The soldier stated that he had no medical treatment after discharge until 1903.

A physician testified in 1907 that he treated the claimant for chronic dysentery and disease of heart and spine in the year 1903, and had given him treatment, off and on, up to the time he testified for such disabilities. He did not go into the details of his treatment.

The testimony as to the existence of the alleged causes of disability from discharge is conflicting; many witnesses state that the claimant complained of having such disease, and others state that they knew of no disability. Some stated that the claimant's appearance after service indicated poor health, and others said his health appeared for several years to be about as it was before service.

Another physician stated in May, 1906, that he had known the claimant about two and a half years, and had examined him several times, and found him suffering with chronic diarrhea, with very rapid and weak heart, and very nervous condition. Disability, one-third.

Another physician said, in February, 1911, that he had known the claimant seven years, and had frequently examined him and treated him at various times for chronic diarrhea and some spinal irritation. Disability, three-fourths.

A druggist testified, October 30, 1911, that on his return from service the soldier was in a weakened condition, thin in flesh, poorly nourished, and presented a sallow appearance, which condition the witness ascribed to long attacks of chronic diarrhea; and that he distinctly remembered that the claimant frequently bought remedies to alleviate his diarrhea during the time between the soldier's discharge and the date he left Michigan in 1903.

Another druggist of the same place made a similar affidavit October 11, 1911.

In affidavits filed with the bill the petitioner states that he owns no property and that his income is "about nothing," and that he is very nearly totally disabled for the performance of manual labor by chronic diarrhea, spinal trouble, and heart disease.

In the opinion of your committee the foregoing history of this case shows the petitioner to be somewhat disabled by reason of his military service, as alleged, and they respectfully recommend the allowance of pension at the rate of \$8 per month.

H. R. 15765. Evelyn Barnette, of the Portland, Washington, D. C., is pensioned under the general law at the rate of \$30 per month as the widow of William J. Barnette, captain, United States Navy.

The deceased officer was in the Navy from July 26, 1864, when he was appointed a midshipman, to his death, on April 19, 1909. He held various ranks from midshipman to rear admiral, to which he was promoted August 1, 1908. He was placed on the retired list January 31, 1909.

The pension was allowed to the widow October 5, 1909, commencing October 20, 1909, the date succeeding the officer's death, and to her as the widow of a captain, because the officer's death cause was contracted when he held that rank.

In an affidavit executed January 29, 1912, and filed with the bill, the petitioner says she has no property of her own, but is dependent upon the estate left her by her deceased husband; that such estate—consisted of small sums of money on deposit in banks, all of which have been expended in and about the financial expenses and in the erection of a monument, leaving the total estate of the said decedent, consisting of insurance policies and shares of stock, of the aggregate value of about \$19,000, which said sum, if invested at the prevailing rates of interest in safe and sound securities, would not yield a revenue sufficient for even moderate support of this affiant. Not only does she have to support herself from the income of the said fund, but must also aid in the support of her mother.

Charles D. Galloway, lieutenant, United States Navy, testifies that he—

had read the foregoing affidavit made by her, and based upon his knowledge of the affairs of the late Rear Admiral William J. Barnette, believes that the statements contained in the said affidavit are true.

J. Miller Kenyon testified that he—

acted as the attorney in the settlement of the estate of the late Rear Admiral William J. Barnette, and in that manner became familiar with the financial condition of the estate. He further states that he has read the foregoing affidavit of Mrs. Evelyn H. Barnette and believes that the statements contained therein are true.

Dr. Sofie A. Nordhoff Jung testifies that Mrs. Barnette is—

suffering with nervous disorder of such nature considering her age and manner of living, I believe that for her to undertake any employment would be seriously detrimental to her health.

The petitioner's age, according to her statement, is about 60 years. She was married to the officer November 29, 1877.

In a supplemental affidavit executed March 22, 1912, the petitioner states that in making her former affidavit she omitted to say "that there is a liability against this estate of her said husband of \$9,000"; that her husband left her, to be explicit, aside from the small sums of money in banks which has been expended, insurance in four companies aggregating \$16,088.95, and "certain shares of stock in the Pennsylvania Railroad Co. of, to wit, the value of \$3,600, which would make in all \$19,688.95," which, deducting the liability of \$9,000, would leave her "less than \$10,000; which amount, at a legal and safe rate of interest, will not bring in to deponent \$500 per annum."

It is the judgment of your committee that this petitioner's financial condition is such as to entitle her to an increased rating. They respectfully recommend that pension be allowed at the rate of \$50 per month in lieu of that she is now receiving.

H. R. 17529. Noah Y. Ream, of Yuba City, Cal., is pensioned on account of service in the Mexican War from August 7, 1847, to July 25, 1848, as a private in Company F, Second Regiment Ohio Volunteer Infantry.

The pension was originally allowed under the act of January 29, 1887, on June 10, 1887, at the rate of \$8 per month from the date of the enactment of the law. It was increased to \$12 from September 26, 1904, under the act of January 3, 1903, and was increased to \$20 per month from March 4, 1907, under the act of February 6 of that year. Twenty dollars per month is the maximum rate allowed under the general law to survivors of the Mexican War.

The pensioner is shown by evidence to be now 91 years of age and wholly incapacitated for earning a support by manual labor, due to

his advanced age and physical infirmities. He states in an affidavit filed with the bill that he owns no real estate or personal property except a few personal effects of the value of about \$50, and that he has no income except his pension. Evidence in the case corroborates his statement.

On account of the pensioner's very great age, physical infirmities, and in conformity with precedent, your committee respectfully recommend the allowance of pension in this case at the rate of \$30 per month in lieu of that he is now receiving.

H. R. 21089. Annie M. Hayes, of New Haven, Conn., is the widow of Edward H. Hayes, who served, during the War with Spain, as a corporal and second-class private in Company H, First Regiment United States Volunteer Engineers, from July 1, 1898, to January 25, 1899, when mustered out with the company.

The soldier applied for pension April 11, 1899, stating that in Porto Rico about September 15, 1898, he had bleeding dysentery, malarial fever, and rheumatism.

The claim was rejected January 10, 1901, on the ground that a ratable degree of disability from the alleged causes was not shown.

The claimant was examined by a board of surgeons at New Haven, Conn., June 20, 1900. They reported the claimant 6 feet 1 inch in height and as weighing 178 pounds. Of bloody dysentery they said:

No emaciation. Bowels now regular. Liver and spleen normal in size. No piles or other disease of rectum. Tongue clean. Skin clear. Rate, 0.

Of malarial fever they said:

No malarial cachexia. No enlargement of liver or spleen. Tongue clean. Skin clear. Rate, 0.

And of rheumatism they said:

No limitation of motion. No deformity of joints, tendons, or muscles. * * * Rate, 0.

And—

Appears to be strong and well.

The War Department records show the soldier 40 years of age at enlistment. (The record of marriage November 25, 1874, showed his age as 22 years on that date, which, if correct, would have made his age 45 or 46 years at enlistment.)

The medical records show the soldier treated from October 24 to November 2, 1898, for acute diarrhea, complications asthenia (want of strength).

Upon examination January 10, 1899, preliminary to discharge, the soldier claimed to have malaria and dysentery, contracted in August, 1898, in Porto Rico. His commanding officer, George L. Taylor, second lieutenant, stated that he had no knowledge of any disability, and a surgeon certified that he had examined him and found:

No disability. The above-named man says he has malaria and dysentery. There is nothing about his condition or general appearance to show but that he is in his ordinary health.

No evidence was filed and no further action was taken in the claim. The soldier died October 27, 1911.

The widow applied for pension November 9, 1911, alleging the soldier's death from carcinoma (cancer) of intestines, due to disease incurred in service.

The claim was rejected December 27, 1911, on the ground that there was no record, medical or other satisfactory evidence, showing origin in service or existence at discharge of the soldier's fatal disease, carcinoma of intestines. Reopening was denied in February, 1912.

Arthur R. and William J. Smith testified, jointly, November 8, 1911, that they were in service with the soldier; that he suffered severely in service with dysentery, was ill and sick with it at discharge; that he was never well after service and suffered with the dysentery and that his death was caused by disease contracted in the Army.

Jeremiah J. Cohane, M. D., testified November 28, 1911, that he attended the soldier at different times from November, 1898, to the date of his death, October 27, 1911; that after muster out in 1898, the soldier came home and was attended by affiant for dysentery and typhoid fever; that after about two months he recovered, but had attacks of dysentery which assumed chronic form; that in 1905 he had a rectal fistula which necessitated operation; that in December, 1910, he was taken with severe abdominal pains and dysentery, a large mass was detected in the right iliac region; that he was operated on and an inoperable carcinoma of intestine found; that he lived for 11 months, suffering with exquisite pain, and died October 27, 1911, of cachexia; that the immediate cause of death was carcinoma of intestine with resulting cachexia; that the remote cause in his opinion was the chronic disturbances which he had suffered with since the Spanish-American War.

The public record of death of New Haven, Conn., made upon the report of this witness, shows:

Primary or chief cause (of death) carcinoma of intestines, duration one year. Secondary or contributory, cachexia, duration one-half year.

Testifying after the claim was rejected, Oscar F. Gundaker said the soldier had dysentery in service in its worst form; that when he came home from service he had lost about 50 pounds in weight; was never well afterwards, and that he died of dysentery.

Arthur R. and William J. Smith duplicated their former affidavit.

Frederick C. Leavenworth testified that soldier was in hospital, he thinks, with intermittent and typhoid fever, had dysentery in its worst form, and was still under treatment when the witness came home.

William F. Verdi, M. D., testified that the soldier died October 27, 1911, of cancer of the calcum; that he contracted dysentery in service which persisted throughout the remainder of his life; that his bowels moved about on an average of six times a day, frequently discharging pus, blood, and mucus; that this condition lasted about 13 years. And following symptoms of pain in back and right leg, a tumor developed in the right iliac fossa in November, 1910; that on January 1, 1911, an operation was performed and an inoperable carcinoma was found. The witness said:

It is my opinion that this tumor resulted from his long-continued dysentery.

He does not state that he was the soldier's physician, or that he ever treated him.

In an affidavit filed with the bill the petitioner states that she is 56 years of age; owns an equity of \$200 in a small house heavily encumbered, so that she will have to sell it or have the mortgages, three, foreclosed; that she is sick with rheumatism and in a weak

condition, caused by attending her husband who was sick all the time with dysentery, and that she is unable to support herself. Witnesses, including a physician, corroborate her statement.

From the evidence cited in the foregoing report, your committee are of the opinion that the soldier's death was a result of his military service. They respectfully recommend the allowance of pension at the rate of \$12 per month.

H. R. 22268. John Wieczorek, of Winona, Minn., during the War with Spain served as private in Company E, Twelfth Regiment Minnesota Volunteer Infantry, from April 29 to November 5, 1898, when he was mustered out with the company.

He applied for pension June 29, 1906, alleging that on June 15, 1898, at Chickamauga Park, Ga., he incurred an injury of the back from a sprain while lifting ammunition and supplies; that at same place, on July 3, 1898, he contracted typhoid fever, which has resulted in severe headaches, abscesses, loss of strength, and general derangement of the nervous system. November 20, 1898, he alleged that he contracted varicose veins (of both legs) at Chickamauga by marching from the railroad station to Chickamauga Park; also, contracted varicocele by heavy lifting on the ration wagon at the same place in June, 1898.

August 18, 1910, he alleged chronic indigestion at Chickamauga Park. The abscesses, before alleged, he stated first appeared about three months after he had typhoid fever, a large one on his body and smaller ones on neck and face.

The claim for disease of nervous system and varicose veins of right leg was rejected June 24, 1909, for lack of record or satisfactory evidence of origin in service, existence at discharge, or continuance thereafter; for varicocele, because the War Department record showed its existence at enlistment; for injury, sprain of back, typhoid fever, and alleged resulting headache, abscesses, and varicose veins of left leg, because of no disability since date of application. It was rejected September 23, 1910, for abscesses on face and body, because of no record or other satisfactory evidence of service origin or existence from discharge; for chronic indigestion, headache, pains in stomach, and constipation, for lack of evidence showing continuance from discharge.

The War Department records show the soldier 23 years of age at enlistment, and that he had slight varicocele at that time.

He was treated July 4 to 6, 1898, for acute indigestion; July 6 to August 18, 1898, for typhoid fever without complication, and given a sick furlough from the latter date to September 16, 1898, when he returned to duty.

Upon examination preliminary to discharge the soldier said he had no disability, and was corroborated by his captain and a surgeon.

On examination by a board of surgeons October 3, 1906, no objective evidence of injury of back was disclosed. The board rated three-eighths on subjective symptoms.

They found no objective evidence of headache nor of abscesses. Of the latter the board said:

History given of two abscesses on neck in 1902. Good recovery.

They rated six-eighths for headache and intolerance of heat as a result of sunstroke. No other disability found. Height, 5 feet 6 inches; weight, 154 pounds.

Upon examination by another board April 7, 1907, his weight was given as 155 pounds. The board said:

Robust-looking man. Appears well nourished.

They found no disability except an abdominal tumor, rated seventeen-eighteenths, and left varicocele, rated four-eighteenths. Of the abdominal tumor they said:

Seems to have its origin in the liver or gall bladder and, no doubt, is a sequel to typhoid fever. It is an enormous growth; beginning at ninth costal cartilage, it extends downward and outward 3 inches; thence downward and inward to a point $2\frac{1}{2}$ inches above the navel; thence upward and outward to a point 5 inches below left nipple and 1 inch internal; thence upward and inward along costal border to ensiform cartilage; thence across to point of beginning.

Joseph Czaplewike, comrade, testified January 13, 1909, that the soldier was sick in service, sent to hospital and then home, and that on the return of the regiment to Minnesota in the fall of 1898 the soldier and witness tented together at New Ulm, Minn., for some weeks, and at that time the soldier had varicose veins of both legs and varicocele.

He made another affidavit August 3, 1910, in which the soldier also had headaches, backache, and chronic indigestion while they tented together, and that the soldier was operated on in hospital in April, 1902.

Samuel Jandrzejewski, comrade, testified that the soldier was sick, sent to hospital, and then home, and after the regiment returned to Minnesota he tented with him five weeks at Fort Snelling and he then had varicocele.

Mike Kulas, comrade, testified May 28, 1909, that the soldier was sent home from service sick, and when he saw him on the return of the regiment to Minnesota he had varicose veins and varicocele.

John Clifford testified August 3, 1910, that he had known the claimant since 1890. Had known him to have pains in back, legs, and stomach; that in April, 1902, he was operated on for abscess of stomach; afterwards laid off from work several times with pain in head, back, legs, and stomach; have seen him frequently since 1902, and he complained of his stomach and debility. He looked sick and has not been able to do full work.

P. J. Barlow testified August 11, 1910, that claimant worked under him from 1902 to date of affidavit; always complained of pains in back, legs, and stomach, and suffered to some extent from headache. Has lost considerable time on account of legs and stomach.

D. F. O'Brien testified September 7, 1910, that he knew the claimant from 1899 to 1902; that he was absent from work a considerable number of times on account of his health. Has seen him since a number of times and he seemed to be suffering more or less from stomach trouble.

Edwin A. Brown, druggist, testified that he had known the claimant 12 years and had put up medicine for him for stomach trouble and headache.

E. S. Muir, M. D., testified January 30, 1909, that he had that day examined the claimant and found he had varicose veins of both legs and varicocele of left side.

He testified August 12, 1910, that he was called to see claimant April 1, 1902, and found him suffering with an enormous abscess of abdomen; that he was taken to hospital, and witness, with two other

surgeons, drained a gallon of pus from abdomen and then treated him for two months; that he had varicose veins; treated him in 1908 for stomach trouble and weakness from varicose veins of legs; again treated him in June, 1909, and February 10, 1910, for stomach trouble, constipation, and extreme weakness of legs, nervousness, backache, and headache.

In affidavits filed with the bill the petitioner states that he has no property or money, except a contract for a deed to a house and lot valued at about \$800, on which there is due on the contract \$500; that he is three-fourths disabled, and is in pecuniary need.

Several laymen testify in corroboration of the claimant's statement as to his financial condition and say that he has lost much time from work since his service, always complains of severe pains, headache, stomach trouble, pains in his back and legs, and does not look well. Two state that he has lost an eye and has not earned over \$300 in the last year.

Dr. Edwin S. Muir repeats his former testimony, and says the petitioner does not drink to excess, and he thinks the claimant is two-thirds disabled.

Samuel Schaefer, M. D., testifies that he examined the petitioner March 15, 1912, and found a large scar in right illiac region, resulting from operation in 1902; that the abdominal muscles are weak; that varicose veins are marked in both legs; that he is totally blind in left eye as the result of an accident occurring December 3, 1910. He expresses the opinion, from a history of the case, that the disabilities named, except loss of vision, are directly due to his Army service, and that he is one-half disabled.

From the history of this case your committee believe it is shown that the petitioner is now disabled by some of his alleged disabilities, and they respectfully recommend the allowance of pension at the rate of \$12 per month.



CLAIMS FOR PERSONAL INJURY AND DAMAGE TO PRIVATE PROPERTY.

APRIL 18, 1912.—Committed to the Committee of the Whole House and ordered to be printed.

Mr. POW, from the Committee on Claims, submitted the following

REPORT.

[To accompany H. R. 23451.]

The Committee on Claims, to whom was referred the bill (H. R. 23451) to pay certain employees of the Government for injuries received while in the discharge of their duties, and other claims for damages to and loss of private property, having considered the same, report thereon with a recommendation that it do pass with the following amendments: On page 1, line 9, after the word "to," insert a comma. On page 2, line 23, strike out the word "permanent" and insert in lieu thereof the words "loss of time and." On page 3, line 16, strike out the words "injuries to" and insert in lieu thereof the words "loss of."

This bill is a substitute for the following House bills referred to said committee:

H. R. 3624. Killian Simon.
17396. Florence Lambert.
11188. Elizabeth Riley.
2154. Richard W. Clifford.
7224. Rose B. Armour.
14772. Albert W. Phelps.
3963. Peter W. Wigginton.
3961. Raymond R. Ridenour.
3958. Charles E. Stump.
16608. Loretta E. Smith.
3784. Charles T. Hanson.
17644. Emil Spongberg.
23394. D. M. Rowland.
4601. Severin Hartman.
21255. E. J. Older.
18535. Annie T. Jackson.
18290. C. H. Ingraham.
4582. Pennsylvania Engineering Co.
5117. Mrs. Charles H. Benson.
5118. Henry Fink.
17200. Andrew Blank.
17201. Herman Voges and H. Eikman.

H. R. 16894. Robert B. Pearce.
16335. William A. Avis.
18394. Owners schooner Dorothy B. Barret.
2001. J. Kennard & Son.
12502. W. W. Blood.
18616. Thomas Haycock.
19579. Preston B. C. Lucas.
12558. H. A. Shirkey.
20337. First Lieut. Saunderford Jarman.
18669. Wickliff Fry.
22124. Thomas R. Mason.
18204. William D. Allen.
6409. James Stanton.
8071. Mrs. L. A. Royster.
17322. Amanda Honert.
8035. John Streckfus.
12376. James A. Showen.
2115. W. W. Wall.
20318. Methodist Episcopal Church Hull, Mass.
13290. Gaston R. Pottivan.
13087. Jeanie G. Lyles.

[H. R. 3624, Sixty-second Congress, first session.]

A BILL For the relief of Killian Simon.

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Killian Simon, out of any money in the Treasury not otherwise appropriated, the sum of seven hundred and thirty dollars, which sum is hereby appropriated, for injuries sustained while unloading a Government barge at the Sturgeon Bay, Wisconsin, Government piers, on August first, nineteen hundred and seven.

Mr. Cantrill, from the Committee on Claims, submitted the following report (to accompany H. R. 3624):

The Committee on Claims, to whom was referred the bill (H. R. 3624) for the relief of Killian Simon, having considered the same, report thereon with a recommendation that it do pass.

This bill calls for the sum of \$730 for the relief of Killian Simon, whose foot was crushed by a falling stone on August 1, 1907, at Sturgeon Bay Canal, Wis., while in the employment of the United States Government. The evidence on file shows that there was no negligence on the part of Simon, and that he was a careful and worthy workman.

The injury was of such extent that he is now compelled to walk with a cane, and several surgeons testify that they consider his injury permanent. Said Simon was at considerable expense in nursing his injury, amounting to nearly \$300, and lost about 18 months' wages, estimated at \$50 per month.

This bill received a favorable report in Sixty-first Congress, second session, and said report is attached hereto and made a part of this report.

[House Report No. 1568, Sixty-first Congress, second session.]

The Committee on Claims, to whom was referred the bill (H. R. 12825) for the relief of Killian Simon, having considered the same, report thereon with a recommendation that it do pass, with the following amendment:

Page 1, line 6, after the word "of," strike out the words "five thousand dollars" and insert in lieu thereof the words "seven hundred and thirty dollars, which sum is hereby appropriated."

Appended hereto are letters from the War Department, which are made a part of this report.

STURGEON BAY, Wis., November 22, 1907.

SIR: In compliance with your verbal request, we, the undersigned, most respectfully submit the following statement of facts regarding the circumstances leading to and attending the accident that befell Killian Simon on August 1, 1907, at Sturgeon Bay Canal, Wis., and which accident resulted in an injury to Simon's right foot, the statement being true to the best of our information and belief.

STATEMENT.

On August 1, 1907, at about 1 o'clock p. m., Killian Simon, with 10 other men, was employed loading skips with stone which was on a flat scow, and which said skips were being handled with a derrick which swung them from the flat scow over into the new superstructure of the north pier, where the stone were dumped.

The derrick lay alongside of the pier, with the flat scow alongside of and a little ahead of the derrick.

The stone then on the scow, about three or four cords, were near the end of the scow that was ahead of the derrick. The skips were being loaded from the side of the stone pile nearest the derrick.

When the skips were loaded they were raised to be swung over into the superstructure of pier, they being raised high enough to clear the pile of stone over part

of which they were swung. The men, when the skip was swung, moved back toward the end of the scow where there was no stone.

On this particular occasion the engineman on the derrick saw that one of the stones on the skip was likely to fall off, and he called out to the men on the scow, "Look out for the stone." Simon at this time was helping with the work of loading the empty skip that was on the deck of the scow and, hearing the warning cry of the engineman, he (Simon) apparently became confused, and, instead of standing back with the other men out of the way of danger, he started to run over the stone pile and in the direction the skip was being swung and, stumbling on a stone, fell down under the raised and swinging skip. The stone which fell off the skip struck the bottom of Simon's right foot, either directly or by falling on the deck and rebounding, the upper part of the foot resting on the stone on which he had stumbled.

This statement is true to the best of our information and belief and is made and signed by each of us voluntarily after being duly cautioned to make no statement that was not absolutely true and warranted by the facts in the case.

Respectfully submitted.

BERT THORP.
EMIL JOHNSON.
ELLING KLINKENBERG.
JARVIS MAPLES.
HANS BONNEVIE.
JAMES MAPLES.
NORMAN L. JOHNSON.

JOE JACOB.
ADOLPH LIEBE.
NELS P. PETERSON.
LEUENE PETERSON.
JOHN MAPLES.
WILLIAM JACOBS.
CARL JOHNSON.

Mr. ADAM N. DIER,
Superintendent Sturgeon Bay Canal, Sturgeon Bay, Wis.

UNITED STATES ENGINEER OFFICE,
Sturgeon Bay, Wis., April 29, 1908.

SIR: I have the honor to acknowledge the receipt of your letter of the 28th instant, signed, in your absence, by Capt. A. Ross Houston, chief clerk, inclosing a paper from the office of the Chief of Engineers calling for a report on House bill 7110 (60th Cong., 1st sess.), for relief of Killian Simon, in the sum of \$5,000, for injuries received in the Government service, and, in obedience to instructions contained therein, I most respectfully submit the following report in the matter:

Kilian Simon, laborer, was injured on August 1, 1907, while engaged with other employees in handling stone for filling the new superstructure of north pier of harbor of refuge at entrance to Sturgeon Bay and Lake Michigan Ship Canal, Wis., and from information obtained from Mr. Bert Thorp, assistant superintendent, and from other employees who witnessed the accident which resulted in injury to Simon, the circumstances attending the accident were as follows:

On August 1, 1907, at about 1 o'clock p. m., Simon, together with other employees, was engaged in the work of unloading stone from the deck of flat scow No. 4, whose deck dimensions are 22 feet by 79 feet, the stone being used for filling the new superstructure of the north pier. To facilitate the work of handling the stone, wooden platforms or skips having a surface dimension of 4½ feet by 4½ feet were used, the stone being loaded on these skips, which skips were then raised from 8 to 10 feet, or high enough to clear the stone pile on the scow and the superstructure of pier and swung over into the superstructure and dumped. The raising and swinging of the skips was accomplished with the boom of the derrick, the same method being used for removing the stone filling from old superstructure preparatory to removing the old and building new superstructure. On this particular occasion, when Simon sustained the injury hereinbefore referred to, the derrick was moored at the north pier with the flat scow on which the stone were loaded alongside of the derrick, one end of the scow extending out ahead of the derrick for some distance. The stone then remaining on the scow, estimated at from 3 to 4 cords, was near the end of the scow that extended out ahead of the derrick and the skips were being loaded from the side of the stone pile nearest to the derrick. On the particular occasion the empty skip had been placed in position on the deck of the scow for loading, while the loaded skip was being raised preparatory to swinging it over into the superstructure with its load of stone.

The men having repeatedly been cautioned to step back out of the way and out of danger when a loaded skip was being raised, all of the employees near the skip, with the exception of Simon, stepped back when the skip was raised. Simon continued throwing stone on the empty skip, and while the loaded skip was being raised the engineman on the derrick observed that a stone on the edge of the skip was wobbling

and likely to fall off the skip, and he promptly called out "look out for the stone," which warning cry was taken up and repeated by the other men that stood near, to warn Simon of the threatened danger. Hearing these warning shouts, Simon evidently became greatly confused and frightened, and instead of running back he made a dash forward over the stone pile, and, stumbling on a stone, fell directly under the hoisted skip. The stone that fell off the skip either fell directly on the bottom of Simon's right foot, or first struck the deck of the scow and then rebounded and struck his foot, the witnesses of the accident not being certain on this point, the upper portion of the man's foot resting on the stone on which he had stumbled.

After the accident had occurred Simon crawled over the stone pile, and from there was assisted to the engine room of the derrick, where the shoe was removed from the injured foot. It was found that while the foot was swollen to some extent, and there was much discoloration of the skin, there was no open rupture or wound or any abrasion of the skin, and believing that the injury to the foot consisted only of a bad sprain and contusion, the foot was bathed with hot water, and Simon was soon thereafter removed to his home in the city, where a doctor was called in to make an examination of the injury. The doctor, after a careful examination, gave it as his opinion that no bones were broken, that the injury to the foot consisted of a bad contusion of the subcutaneous tissues, and that Simon would be able to resume work in a couple of weeks.

As the foot did not improve under the treatment of the first doctor called in the case, a second doctor was engaged, and he, too, gave it as his opinion that no bones were broken in the foot, and that the injury consisted of a very bad contusion of the subcutaneous tissues and cords.

As Simon received very little benefit from the treatment of the local doctors, he went to Green Bay during the month of October, 1907, where he entered a hospital to receive treatment for the injured foot, and he subsequently informed me that the doctors at the hospital, after making a very careful examination of the foot, informed him that a number of bones in the foot were crushed by the stone, and that it would be six months or more before he would be able to use the foot, and that the foot would always be weak and give him more or less trouble.

Simon has now for some time been able to walk without the aid of crutches, his foot being greatly improved, but he still uses a cane when walking for some distance.

In conclusion, I would state that the accident that resulted in the injury sustained by Simon was not caused by any faulty construction or breakage of any appliance used in connection with the work, nor by the carelessness of any of his coemployees. Also, that the injury to the man's foot was not considered at all serious in the first place, but that later developments showed that the injury was much more serious and deep seated than it was at first thought to be.

The following-described papers relating to the matter are most respectfully forwarded to you herewith, viz:

1. The paper from the office of the Chief of Engineers, with inclosures, as forwarded to me with your letter hereinbefore referred to.

2. A copy of written statement of Mr. Bert Thorp, assistant superintendent, and other employees who witnessed the accident that resulted in injury to Simon.

Very respectfully, your obedient servant,

ADAM N. DIER, *Superintendent.*

Maj. WILLIAM V. JUDSON,
Corps of Engineers, U. S. Army, Milwaukee, Wis.

UNITED STATES ENGINEER OFFICE,
Sturgeon Bay, Wis., May 1, 1908.

SIR: I have the honor to report that Capt. A. Ross Houston, chief clerk, yesterday called me up by telephone and called my attention to the fact that in my report to you, dated April 29, 1908, relating to a paper sent to you from the office of the Chief of Engineers calling for report and recommendation on House bill 7110 (60th Cong., 1st sess.) for relief of Killian Simon in the sum of \$5,000 for injuries received in the Government service, I failed to make any recommendations in the matter, and I therefore most respectfully submit the following further report on the subject:

Killian Simon, the beneficiary named in House bill 7110 (60th Cong., 1st sess.), always has been honest, sober, and industrious, and his vocation was that of common laborer, his compensation ranging from \$1.50 to \$2 per day. He is a single man, will be 44 years old in June next, and for a number of years past has been the only support of his two sisters, one of whom has been an invalid most of the time, and the other serving in the capacity of his housekeeper.

As the labor he has been performing was becoming quite burdensome to him as he grew older, it was his purpose as soon as he had saved enough money to purchase a small tract of land, 5 or 10 acres, in the vicinity of this city, and engage in small-fruit culture, etc., from which he expected to derive sufficient revenue to comfortably keep himself and his sisters.

Simon has for some time been able to get around without the aid of crutches, but is compelled to use a cane when walking for any considerable distance, and while his foot is greatly improved and slowly getting better it is still quite badly crippled, and it is the opinion of the doctors that it will be six months or more before he will be able to use the foot freely and that it will always cause him more or less trouble.

The injury to the foot would, however, not seriously handicap Simon in the performance of the work connected with fruit culture, etc., in which he had planned to engage before sustaining the injury to his foot.

If, therefore, it is the purpose of Congress to make an appropriation for the relief of Simon, it is my opinion that a reasonable and equitable compensation would be to reimburse him for the expense incurred for medical attendance and hospital service, for traveling expenses, for time lost, and for permanent injury he sustained in consequence of the accident, amounting to \$2,175, and made up of the following items, viz.:

For medical attendance and hospital service.....	\$200
For traveling expenses.....	75
For wages lost, 18 months, at \$50 per month.....	900
For permanent injury to foot.....	1,000
Total.....	2,175

Very respectfully, your obedient servant,

ADAM N. DIER, *Superintendent.*

Maj. WILLIAM V. JUDSON,
Corps of Engineers, United States Army,
Milwaukee, Wis.

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF ENGINEERS,
Washington, May 14, 1908.

SIR: 1. I have the honor to return herewith House bill 7110 (60th Cong., 1st sess.) for the relief of Killian Simon.

2. It appears from the reports (copies inclosed) of A. Ross Houston, chief clerk, United States engineer office, Milwaukee, Wis.; Adam M. Dier, superintendent, Sturgeon Bay, Wis.; Bert Thorp, assistant superintendent, and 13 other employees, Sturgeon Bay, Wis.; and a supplemental report of Superintendent Dier, that the beneficiary, Killian Simon, received an injury to his foot, not as a result of faulty construction or breakage of appliances used in the construction of the work, and that the injured man received prompt professional attention, presumably from the best medical men available. It also appears that he has always been honest, sober, and industrious, his vocation being that of a common laborer at a compensation ranging from \$1.50 to \$2 per day; that he is a single man, nearly 44 years of age, and has for a number of years past been the only support of two sisters, one of them an invalid.

3. It appears that the injury resulted from a situation brought about by Simon's own act, contrary to instructions, yet nevertheless to be credited with an obvious motive of advancing the interests of the United States. He placed himself in a position of danger by persisting in the labor of loading stone upon a skip after his comrades had desisted and withdrawn themselves to a place of safety. When warned of his danger, in the excitement and by a mistake of judgment, he ran in the direction of greater rather than of less exposure. His injury is a very good example of purely accidental hurts received by meritorious men—and in a very great many cases the most meritorious and the most efficient and useful men—as a result of a combination of circumstances which no one could have foreseen, or which no one could have been expected to prevent, and for which no one can be held responsible.

4. In such circumstances as these it has been the desire of the Corps of Engineers for many years to make such concession in the way of assistance to employees so injured, by payment of their necessary medical expenses, by payment of a reasonable amount for loss of time, and by subsequent employment under conditions where they would be able to earn part if not a full salary. In this laudable ambition the

Corps of Engineers has found itself constantly subject to checks, flowing partly from adverse decisions of the Comptroller of the Treasury made in two cases, as to the legality of expenditures from public appropriations for medical attention and services in the absence of specific legislative sanction therefor, which sanction has not as yet been given; and, second, in the laws, rules, and regulations now governing employment in the classified service, and in the extension of that service to include almost every possible position carrying an emolument under the Engineer Department, the effect of which has been to make it impracticable to employ men in positions such as could be made available for the assistance of injured persons by requiring such system of selection or qualification as makes it practically impossible for the Engineer Department to give the necessary preference to such persons for this employment, which preference is absolutely necessary to make the scheme effective. This matter is more fully considered in an indorsement by the Chief of Engineers on a case referred from the President of the United States for report in the matter of the status of one J. H. Grundel, formerly a draftsman in the United States engineer office at Savannah, Ga.

5. The Chief of Engineers takes this occasion to say that it is a matter of sincere regret that nothing can be done for Mr. Simon in either of the directions which he has indicated above, but his regret does not change the facts and the law, and he is obliged to say that no executive relief is possible for Mr. Simon, except by evasion or violation of law.

6. From the foregoing it will be evident that the Chief of Engineers can not and should not oppose the passage of this bill on the merits of this particular case, nor is it incumbent upon him to express any opinion as to the general legislative policy involved or as to whether a private bill for individual relief should be preferred to a general bill, which will make it possible for the Engineer Department to extend relief as a matter of administration.

7. As to the particular sum which should appear in the bill, if passed, the Chief of Engineers would observe that the application of the thoughts above expressed would limit reimbursement of Mr. Simon to items included under the head of medical attendance and hospital service, which the superintendent, Mr. Dier, in a paper herewith (inclosure 4 of the case), estimates at \$200, for necessary traveling expenses in connection with this treatment \$75, and for wages lost, which in this case is estimated at 18 months, at \$50 per month, \$900.

8. As to the latter item, the Chief of Engineers may observe that but for the restrictions which have above been explained, it is likely that but a scant half of these 18 months would have been paid without service rendered, and the balance would have been under pay in some preferred position where a lesser physical capacity could earn a lesser wage.

Very respectfully,

The SECRETARY OF WAR.

A. MACKENZIE,
Brig. Gen., Chief of Engineers, U. S. Army.

GREEN BAY, WIS., November 20, 1907.

STATE OF WISCONSIN, Brown County, ss:

This is to certify that Killian Simon was injured at Sturgeon Bay, August 1, 1907, while in the employ of the Government, at the Sturgeon Bay-Lake Michigan Canal, by a falling stone. I find that most all the small bones of the foot were fractured. The bones have healed, but there is considerable deformity left.

His injuries are of such a nature that he probably will not ever entirely recover from them. He has to go at the present time on crutches, and will probably have to continue to do so for a long time, and, in fact, will never entirely recover.

Very truly, yours,

J. R. MINAHAN.

Subscribed and sworn to before me this 20th day of November, 1907.

[SEAL.]

JOHN F. DOCKERY,
Notary Public, Brown County, Wis.

My commission expires November 27, 1908.

STATE OF WISCONSIN, Door County, ss:

Dr. H. A. Norden, being first duly sworn, says that he is a practicing physician and surgeon at the city of Sturgeon Bay and has been duly licensed and is duly registered as provided by law; that he has been practicing at the city of Sturgeon Bay,

Door County, Wis., for a period of 14 years, and more; that on August 1, 1907, he was called on to attend Killian Simon for an injury received while working at the canal on that day; that he found the right foot injured and the swelling was so great that it was impossible to make a diagnosis at that time.

That after the swelling went down, upon investigation I diagnosed the condition as a partial dislocation of some of the tarsal bones, especially the astragalus and scaphoid, thereby raising the arch of the foot and shortening the distance from the internal malleolus to the tip of the great toe.

That the above are the injuries as I found them at the examination, and that I was the first physician called to attend him.

HENRY A. NORDEN, M. D.

Subscribed and sworn to before me, a notary public, this 8th day of November, 1907.

[SEAL.]

WILLARD E. GAEDE,
Notary Public, Door County, Wis.

My commission expires July 17, 1910.

STATE OF WISCONSIN, *Door County, ss:*

Dr. A. J. Kreitzer, being first duly sworn, on oath deposes and says that he is a practicing physician and surgeon residing at Sawyer, Wis.; that he is duly licensed and registered to practice medicine and surgery in the State of Wisconsin; that he has duly registered as required by law and has done and performed all things necessary to practice his profession in this State; that he has been such practicing physician and surgeon for 11 years last and past; that on the 23d day of August, 1907, at the city of Sturgeon Bay, Wis., he was called to make an examination of the injured foot of Killian Simon; that after a due and careful examination he found a number of the small bones in the right foot injured and fractured, and also some of the bones were dislocated; that at said date the bones were partially healed, and that there is now a considerable deformity left, and to all appearances Killian Simon will never again have a normal foot and will always be permanently disabled; that he treated said injured right foot for two weeks and did all that was possible to correct the injury to prevent permanent injury.

A. J. KREITZER, M. D.

Subscribed and sworn to before me, a notary public, this 22d day of November, 1907.

[SEAL.]

WILLARD E. GAEDE,
Notary Public, Door County, Wis.

My commission expires July 17, 1910.

STATE OF WISCONSIN, *Door County, City of Sturgeon Bay, ss:*

G. F. Hilton and Thomas C. Proctor, being each duly sworn, on oath doth severally say and depose that they are regular practicing physicians and surgeons at the city of Sturgeon Bay, Door County, Wis.; that they are duly licensed and registered according to the laws of the State of Wisconsin; that they have made a careful examination of the foot of Killian Simon, who was injured while working for the United States Government at the canal in this city, and it is their opinion that said Killian Simon will never receive any relief, and that said foot is permanently injured, and that it will be necessary to amputate said foot before any relief can be had.

G. F. HILTON.

THOMAS C. PROCTOR, M. D.

Subscribed and sworn to before me this 14th day of December, 1908.

[SEAL.]

WILLARD E. GAEDE,
Notary Public, Door County, Wis.

My commission expires July 17, 1910.

STATE OF WISCONSIN, *Door County, City of Sturgeon Bay, ss:*

George D. Chafee, being first duly sworn, on oath says that he is regular licensed and practitioner in the American school of osteopathy; that he has made an examination of the foot of Killian Simon, who was injured while in the employment of the United

8 PERSONAL INJURY AND DAMAGE TO PRIVATE PROPERTY.

States Government at the ship canal in this city; that it is the opinion of this affiant that said Killian Simon will never receive any relief to said foot until the same is amputated, and until said foot is amputated said Killian Simon will never receive any help or relief.

GEO. D. CHAPPEL.

Subscribed and sworn to before me this 14th day of December, 1908.

[SEAL.]

WILLARD E. GAEDE,
Notary Public, Door County, Wis.

My commission expires July 17, 1910.

STATE OF WISCONSIN, Door County, ss:

William Jacobs, being first duly sworn, upon oath deposes and says that he is a resident of the city of Sturgeon Bay, in the county of Door and State of Wisconsin; that on the 1st day of August, A. D. 1907, he was in the employment of the United States Government and a fellow servant of Killian Simon, of said city of Sturgeon Bay; that said Killian Simon and affiant were engaged in service in the reconstruction of the north breakwater pier at the Lake Michigan entrance of the Lake Michigan and Sturgeon Bay Canal; that on the afternoon of said 1st day of August, 1907, this affiant and said Killian Simon were unloading stone from a scow to skids; that said skids were raised by a derrick and dumped in the cribs; that it was necessary to hurry the unloading of said scow as the scow was needed to go to Sturgeon Bay to get a carload of timber which was on the cars at said city, and for that reason double crews were set to work to unload the stone from said scow.

That this affiant and said Killian Simon were piling stone upon one skid while other workmen and employees were loading stone upon another skid; that while the derrick was hoisting the skid of stone loaded by the other workmen, and while affiant and said Killian Simon together with others were loading the other skid, and without any fault of affiant or said Killian Simon, a stone became loose and fell off and struck and injured said Killian Simon permanently; that said loose stone fell about 20 feet and that said Killian Simon was unable to avoid the accident and that he did use all due care and precaution to avoid being injured by said falling stone from the skid as hoisted by the derrick and while being transported to the cribs.

WILLIAM JACOBS.

Subscribed and sworn to before me this 17th day of October, A. D. 1907.

[SEAL.]

J. M. SCHANER,
Notary Public, Door County, Wis.

My commission expires August 22, 1909.

STATE OF WISCONSIN, Door County, ss:

Emil Johnson, being first duly sworn, on oath deposes and says that he was in the employment of the United States Government on the 1st day of August, 1907, and was working with Killian Simon on the afternoon of that day when he was injured by a falling stone; that this affiant was an eyewitness and personally saw and noticed that Killian Simon took all precaution to avoid the accident which resulted in his injury; that said Killian Simon was not at fault; that the stone which injured him was not handled by him, nor did he have anything to do with it, and that it fell off of a skid while being hoisted by the derrick and transferred to the cribs which the Government was repairing at that time; that Mr. Simon just previous to the hoisting of this skid of stone was working and loading stone on another skid and took all possible care to get out of danger when said skid of stone was hoisted, but notwithstanding all of his care and prevention he was injured and seriously hurt.

EMIL JOHNSON.

Subscribed and sworn to before me this 25th day of October, 1907.

[SEAL.]

E. N. ANDERSON,
Notary Public, Door County, Wis.

My commission expires November 27, 1909.

STATE OF WISCONSIN, Door County, ss:

Joe Jacob, being first duly sworn, on oath deposes and says that he was working on the same scow unloading stone on the afternoon of August 1, 1907, when and at the time Killian Simon was injured by a falling stone which fell off of a skid while being hoisted by the derrick from the scow and transferred into the crib, which was close to the scow; that said Killian Simon was assisting in loading a skid with the stone and at that time another skid had been filled and the order was given to hoist the skid by the derrick, and that the said Killian Simon immediately at the time the signal was given made for safety and shelter, but while he was endeavoring to get to a place of safety, and while said skid was suspended in the air and swinging and being conveyed to the crib, a stone, without any fault of Killian Simon, became loose and fell from the skid to the deck of the scow, which was a distance of about 20 feet, and injured said Killian Simon seriously and permanently.

That said Killian Simon took every possible means to prevent the injury and the accident happening and said accident happened without any fault on his part and he was injured while climbing over the stones on said scow to a place of safety; that the said stone fell beside his foot and crushed and jammed the same and that he will be injured for life.

JOE JACOB.

Subscribed and sworn to before me this 19th day of October, 1907.

[SEAL.]

WILLARD E. GAEDE,
Notary Public, Door County, Wis.

My commission expires July 17, 1910.

[H. R. 17396, Sixty-second Congress, second session.]

A BILL For the relief of Florence Lambert.

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Florence Lambert, who was permanently disabled while engaged in the employment of the United States Government at Frankford Arsenal, in the State of Pennsylvania, on or about September third, eighteen hundred and ninety-five, the sum of two thousand five hundred dollars.

Mr. Green of Iowa, from the Committee on Claims, submitted the following report (to accompany H. R. 17396):

The Committee on Claims, to whom was referred the bill (H. R. 17396) for the relief of Florence Lambert, having considered the same, report thereon with a recommendation that it do pass.

The committee to which this bill was referred reports that a bill awarding the claimant \$2,500 passed the Senate at a previous session and was favorably reported for passage by the full House Committee on Claims, but too late for final action. After an examination of the evidence offered in support of this claim, your committee adopts the report heretofore presented by the Senate Committee on Claims as an accurate statement of the facts in relation thereto. This Senate report is hereto attached and made a part of the report of your committee.

Upon the facts thus shown your committee respectfully recommends the favorable reporting by the full committee of H. R. 17396, which provides for an allowance of \$2,500 to the claimant.

Letters and communications from the War Department are appended hereto and made a part of this report.

[Senate Report No. 3940, Fifty-ninth Congress, first session.]

The Committee on Claims, to whom was referred the bill (S. 4387) for the relief of Florence Lambert, having had the same under consideration, report it back to the Senate with the recommendation that it do pass.

The facts in the case are fully set forth in the following War Department correspondence, which was published in full in report No. 1674, Fifty-eighth Congress, second session:

[Fourth indorsement.]

WAR DEPARTMENT, *February 2, 1904.*

Respectfully returned to the chairman Committee on Claims, United States Senate, inviting attention to the foregoing report of the Chief of Ordnance, United States Army, and to accompanying copies of correspondence therein referred to.

ROBERT SHAW OLIVER,
Assistant Secretary of War.

FRANKFORD ARSENAL,
Philadelphia, Pa., September 6, 1898.

SIR: I have the honor to inform you that on Saturday, the 3d instant, about 5.15 p. m., as I was passing the machine shop, an explosion took place in the second story of the building near a machine for priming cartridge shells. Miss Florence Beem, an operative, was holding a primer plate in her left hand and rubbing the primers into the perforations in the plate with her right hand, as has been done here without accident since exterior primed reloading cartridges were adopted for service until this accident occurred. The primers on the plate exploded, also those in the wire tray directly underneath, blowing off most of the operative's right hand and disfiguring her face probably for life, without, it is hoped, destroying her eyesight. She was taken to the post hospital and from thence to the Episcopal Hospital in Philadelphia, where what was left of her right hand was amputated above the wrist. The patient is doing well as far as heard from.

Very respectfully,
J. M. WHITEMORE,
Colonel, Ordnance Department, U. S. Army, Commanding.
The CHIEF OF ORDNANCE, U. S. ARMY,
Washington, D. C.

FRANKFORD ARSENAL,
Philadelphia, Pa., September 7, 1898.

SIR: I have the honor to request that a recommendation be sent to the Congress of the United States when next in session urging that a pension of \$30 per month be granted to Miss Florence Deem, 254 North Tenth Street, Philadelphia, Pa.

The circumstances of the case are as follows:

Miss Deem has been employed in the cartridge factory at this arsenal since May 2, 1898, at a salary of 90 cents per day. At the time of her employment she gave her age as 23 years.

Between 5 and 5.30 p. m. on Saturday, the 3d of September, 1898, Miss Deem was engaged in putting small-arm primers in a primer plate preparatory to transferring the primers to the machine used for inserting the primers into the pockets made for them in the cartridge cases.

As she was thus engaged the primers suddenly exploded, with the following disastrous result to Miss Deem, as reported to-day from the Episcopal Hospital, Philadelphia, whither she was taken as soon as possible after receiving the injury, viz: After receiving Miss Deem at the Episcopal Hospital it was found necessary to amputate her right hand and part of her right forearm above the wrist. The left hand is badly burnt, but no part of it will have to be amputated. The sight of the left eye has been partially destroyed; the right eye will probably be saved. In addition, Miss Deem will probably be disfigured for life, due to the injury to her face, resulting from the explosion.

An explosion of primers in this manner has never before occurred at this arsenal, and it was not due to carelessness on the part of Miss Deem or on the part of others.

Miss Deem is dependent for support upon her own efforts, and the injuries quoted above will make it most difficult, if not impossible, for her to continue to support herself unaided in the future.

In requesting a pension of \$30 per month for Miss Deem the following facts are respectfully submitted, viz:

First. It is known to be customary, at least at one private cartridge factory, and presumably at them all, to pension for life such employees as are permanently disabled as a result of explosion or other accident occurring at the factory while the employees are at work therein.

Second. It is felt that Miss Deem, permanently disabled while engaged in the manufacture of cartridges for the use of the soldiers of the United States, has received her injury in the service of her country as truly as any soldier wounded on the field of battle.

Very respectfully, your obedient servant,

J. M. WHITEMORE,
Colonel, Ordnance Department, United States Army, Commanding.
The SECRETARY OF WAR,
Washington, D. C.

FRANKFORD ARSENAL,
Philadelphia, Pa., November 8, 1899.

DEAR MADAM: In reply to your request (verbal) you are informed that on September 7, 1898, I wrote a letter to the Secretary of War, through the Chief of Ordnance, recommending that you be granted a pension of \$30 per month.

I have this day written a second letter, inviting attention to the first one and renewing the recommendation contained therein.

Respectfully,
J. M. WHITEMORE,
Colonel, Ordnance Department, U. S. Army, Commanding.

MISS FLORENCE DEEM,
1035 Vine Street, Philadelphia.

FRANKFORD ARSENAL,
Philadelphia, Pa., November 8, 1899.

SIR: I have the honor to invite attention to my letter of September 7, 1898, to the Secretary of War, through the Chief of Ordnance. In this letter I recommend a pension of \$30 per month for Miss Florence Deem, an employee of this arsenal permanently disabled September 3, 1898, by the explosion of small-arm primers which she was handling in the course of her regular duties.

I was on the spot immediately after the explosion, and by careful examination at that time and investigation afterwards, I can state that the explosion was not due to carelessness either on the part of Miss Deem or on the part of those in authority.

Miss Deem was at the arsenal yesterday. She has very recently left the hospital, where her left eye was removed three weeks ago. As the result of the explosion she has now lost her right hand and part of her right forearm and her left eye. She is dependent for support on her own efforts, and in her crippled condition it will be impossible for her to support herself unaided in the future.

As will be seen, Miss Deem's case is a needy one and, in my opinion, the granting to her of the pension recommended would be an act of justice urgently demanded by the circumstances of the case.

Miss Deem's address at present is 1035 Vine Street, Philadelphia, Pa.

Respectfully,
J. M. WHITEMORE,
Colonel, Ordnance Department, U. S. Army, Commanding.
The CHIEF OF ORDNANCE, U. S. ARMY,
Washington, D. C.

COMMITTEE ON CLAIMS,
HOUSE OF REPRESENTATIVES,
Washington, February 4, 1902.

Hon. ELIHU ROOT,
Secretary of War.

SIR: On behalf of Committee on Claims, House of Representatives, I have the honor of inclosing you herewith (H. R. 10015) a bill for relief of Florence Lambert. It is represented to committee that Mrs. Lambert, who was formerly Miss Florence Deem, was employed in the Frankford Arsenal at Philadelphia, Pa., during the year 1898, and that on September 3 of that year while engaged in performance of her duty she was badly injured by the explosion of small Army primers which she was then handling. It is also represented that as the result of the explosion she has lost her right hand and a part of her right forearm and her left eye. Will you have the kindness to

12 PERSONAL INJURY AND DAMAGE TO PRIVATE PROPERTY.

report to this committee such information as can be obtained from your department respecting the merits of this claim, with such suggestions as to its meritorious character as you may feel inclined to make.

Very respectfully, yours,

LOT THOMAS, M. C.

[First indorsement.]

OFFICE OF THE CHIEF OF ORDNANCE,
Washington, February 24, 1902.

Respectfully referred to the commanding officer, Frankford Arsenal, for report.
By order of the Chief of Ordnance:

L. L. BRUFF,
Captain, Ordnance Department, U. S. Army.

[Second indorsement.]

FRANKFORD ARSENAL, PA., *February 26, 1902.*

Respectfully returned to the Chief of Ordnance, United States Army, inclosing copies of the correspondence records of this arsenal so far as they relate to the case and claim of Mrs. Florence Lambert, nee Deem. Nothing contrary to the facts stated therein is known to me.

FRANK HEATH,
Major, Ordnance Department, U. S. Army, Commanding.

[Third indorsement.]

OFFICE OF CHIEF OF ORDNANCE,
Washington, March 4, 1902.

Respectfully returned to the honorable the Secretary of War, inviting attention to the inclosed correspondence with reference to this subject.

It seems that the injuries sustained by Miss Deem are accurately described in the inclosed bill; that they were incurred without fault on her part while engaged upon duty for which she was employed by this department. The case appears to be one in which relief by the United States would be most properly afforded.

WILLIAM CROZIER,
Brigadier General, Chief of Ordnance.

[Fourth indorsement.]

WAR DEPARTMENT, *March 6, 1902.*

Respectfully returned to Hon. Lot Thomas, House of Representatives, inviting attention to the accompanying copies of reports of the commanding officer, Frankford Arsenal, and to the preceding indorsement of the Chief of Ordnance, United States Army, whose views are concurred in.

E. Root, *Secretary of War.*

[H. R. 11188, Sixty-second Congress, first session.]

A BILL For the relief of Elizabeth Riley.

Be it enacted, etc., That there be paid by the Secretary of the Treasury to Elizabeth Riley, widow of Edward M. Riley, formerly an employee of the United States post office in the city of New York, State of New York, out of any money in the Treasury not otherwise appropriated, the sum of one thousand five hundred dollars, for the death of said Edward M. Riley, resulting from injuries received while in the performance of duty on the sixth day of February, nineteen hundred and eight; the money for which is hereby appropriated out of any money in the Treasury not otherwise appropriated.

Mr. Levy, from the Committee on Claims, submitted the following report (to accompany H. R. 11188):

The Committee on Claims, to whom was referred the bill (H. R. 11188) for the relief of Elizabeth Riley, having considered the same, report thereon with a recommendation that it do pass with the following amendment:

In line 7 strike out the words "five thousand" and insert in lieu thereof the words "fifteen hundred," and, beginning in line 10, after

the word "eight," strike out the following words: "and that the said Elizabeth Riley be reimbursed for the expenses incurred for medical treatment at the hospital of said Edward M. Riley by reason of said injuries."

In line 13 strike the letter "s" from the word "moneys"; strike out the word "are" and substitute in lieu thereof the word "is."

The bill when thus amended will read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be paid by the Secretary of the Treasury to Elizabeth Riley, widow of Edward M. Riley, formerly an employee of the United States post office in the city of New York, State of New York, out of any money in the Treasury not otherwise appropriated, the sum of fifteen hundred dollars, for the death of said Edward M. Riley, resulting from injuries received while in the performance of duty on the sixth day of February, nineteen hundred and eight, the money for which is hereby appropriated out of any money in the Treasury not otherwise appropriated.

This is a case in which Edward M. Riley, an employee of the United States post office in the city of New York, received injuries in the discharge of his duties which caused his death five days after the injuries were received. This accident, according to the evidence, occurred from no negligence on the part of said Riley. This claim received a favorable report, No. 1476, Sixty-first Congress, second session. Additional letters and statements received on the date of February 28, 1912, are appended hereto and made a part of this report.

POST OFFICE DEPARTMENT,
OFFICE OF THE POSTMASTER GENERAL,
Washington, D. C., February 28, 1912.

HON. EDWARD W. POU,
Chairman Committee on Claims, House of Representatives.

MY DEAR CONGRESSMAN: In reply to your letter of the 9th instant, inclosing a copy of bill (H. R. 11188) for the relief of Elizabeth Riley, widow of Edward M. Riley, formerly a clerk at \$1,000 in the post office at New York, N. Y., who died February 11, 1908, as the result of injuries received while in the performance of duty on February 6, 1908, I beg leave to transmit herewith a copy of a letter from the postmaster of New York setting forth the facts in connection with the accident, and also a copy of the report of Mr. Riley's death made by the postmaster to the Department of Commerce and Labor.

The department believes that this claim is a meritorious one.

In this connection I beg to call your attention to the following recommendation for legislation for the relief of employees injured while on duty made in my annual report for the fiscal year ended June 30, 1911:

"Any employee of the postal service who is disabled by accidental injury, not due to his own negligence, received while performing his official duties, may be granted leave of absence with full pay during the period of his disability, but not for more than one year, and then at half pay for the further period of disability, if any, but not exceeding one year additional; and if he dies within a year as a result of the injury, leaving a widow, or children under 16 years of age, or dependent parents, such widow, children, and dependent parents shall be entitled to receive, in such portions as the Postmaster General may decide, the sum of \$2,000."

Yours, very truly,

F. H. HITCHCOCK,
Postmaster General.

UNITED STATES POST OFFICE,
New York, N. Y., February 20, 1912.

THE FIRST ASSISTANT POSTMASTER GENERAL,
Division of Salaries and Allowances, Washington, D. C.

SIR: In compliance with your request of February 14 (CF), relative to the case of Edward M. Riley, formerly a clerk in this office, I have to inform you that at 11.40 p. m., on the 6th of February, 1908, Edward M. Riley, employed as a dispatcher in

the transportation department of this office, while crossing the elevated platform in the Mail Street lobby to the transportation department platform, was caught on the top of mail lift No. 4, which lift was, unknown to Clerk Riley, being operated from the basement floor to the transportation department platform by an employee of the engineer's department. The clerk named was carried on the top of the mail lift to the ceiling of the lobby, at which point the top of the elevator shifted, resulting in Riley being precipitated therefrom to the platform. He did not, at the time, seem to have sustained any serious injury and declined assistance to his home. Report was received at this office at 2.45 p. m., on February 11, 1908, from a person who represented himself to be a friend of Clerk Riley, that Clerk Riley died in the Fordham Hospital at 11.45 o'clock that morning. To obtain the exact cause of Mr. Riley's death I communicated with the Fordham Hospital, and in reply they informed me that he "was admitted to this hospital on February 8, 1908, and died on February 11, 1908. He had a ruptured kidney, with interior hemorrhage, and delirium tremens."

A copy of the report, sent to the Secretary of Commerce and Labor, Washington, D. C., under date of March 31, 1909, is inclosed herewith.

Very respectfully,

E. M. MORGAN, *Postmaster.*

Per THOS. F. MURPHY, *Assistant Postmaster.*

REPORT OF DEATH FROM ACCIDENTAL INJURY.

POST OFFICE DEPARTMENT,
New York, N. Y., March 31, 1909.

The SECRETARY OF COMMERCE AND LABOR,
Washington, D. C.

SIR: I herewith report the death on February 11, 1908, of the person named below, who was injured as described.

E. M. MORGAN, *Postmaster.*

1. Full name of injured employee, Edward Michael Riley.
2. Age, 41; sex, male.
4. Address, 706 Van Nest Avenue, Van Nest, New York, N. Y.
5. Occupation at time of accident, clerk, New York post office.
6. Rate of pay at time of accident, \$1,000 per annum.
7. Injured in accident as reported on February 8, 1908.
8. Working time lost on account of accident, four days and one hour.
9. Died as result of such injury on February 11, 1908, at Fordham Hospital.
10. His dependents at the time of the accident were his
 - (a) Wife, name, Elizabeth Cecelia Riley, 706 Van Nest Avenue, Van Nest, New York, N. Y.
 - (b) Children under 16 years of age, names and date of birth: Arthur Edward Riley, July 24, 1891; Esther Elizabeth Riley, December 9, 1892; Vincent Leo Riley, April 11, 1894; Helen Lucy Riley, July 19, 1899; Catherine Agnes Riley, January 24, 1902; Edna Josephine Riley, September 1, 1904; Anna Regina Riley, June 10, 1907.
 - (c) Parents: Father, John Riley (deceased), New York, N. Y., street address unknown; mother, Mary Riley (deceased), New York, N. Y., street address unknown.

[H. R. 2154, Sixty-second Congress, first session.]

A BILL For the relief of Richard W. Clifford.

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Richard W. Clifford, an employee at the United States Armory in Springfield, Massachusetts, out of any money in the Treasury not otherwise appropriated, the sum of six hundred and ninety-eight dollars and ninety-nine cents, in compensation for permanent injuries to his left leg, caused on October thirtieth, nineteen hundred and seven, by an accident in the shop where he was employed at the time.

Mr. Levy, from the Committee on Claims, submitted the following report (to accompany H. R. 2154):

The Committee on Claims, to whom was referred the bill (H. R. 2154) for the relief of Richard W. Clifford, having considered the same, report thereon with a recommendation that it do pass.

Appended hereto is Report No. 1965, Sixty-first Congress, third session, which is hereby adopted and made a part of this report.

[House Report No. 1955, Sixty-first Congress, third session.]

The Committee on Claims, having had under consideration House bill 26607, reports the same to the House with the following amendment:

Strike out the words "one thousand five hundred dollars" in line 6 and insert in lieu thereof the words "six hundred and ninety-eight dollars and ninety-nine cents."

Richard W. Clifford, of Springfield, Mass., was, in 1907, at the age of 21, the sole support of his widowed mother and four brothers and sisters, aged 13, 11, 9, and 4. He was employed in the Springfield Armory in the manufacture of small arms, receiving an average of \$2.23 a day, on piecework. At this rate a year's wages would be \$698.99.

On October 30, 1907, he was working at his bench in the bayonet room of the annex building while rifles were being tested in the room below by a squad of men under Capt. Phillips. A shot came up through the floor and hit Clifford in his left leg. The bullet entered at the ankle and, passing upward 8 inches, lodged against his shin bone.

Physicians and an ambulance were called and he was taken to the Mercy Hospital, his name being checked off the pay roll as the ambulance passed out of the gates of the armory grounds. The commandant, Col. S. E. Blunt, subsequently gave \$10 of his own funds for the payment of the physicians and the ambulance called.

The wound gave much trouble, and a number of bone splinters had to be removed and for several weeks Clifford was in the hospital. He returned to work on December 23. He has had trouble with his leg continually since then and has been much reduced in earning capacity. He has lost some time by illness, especially one long period of typhoid fever, which was partially ascribed to his weakened constitution.

His hospital bill at the time of the accident was \$64 and his bill for medical attendance \$26.

The War Department recommended the granting of relief to the amount of the loss of wages and expenses. Accompanying this is the report of the War Department on the claim.

[Third indorsement.]

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF ORDNANCE,
Washington, June 18, 1910.

Respectfully returned to the honorable the Secretary of War, inclosing copies of correspondence which give a history of this case.

As stated in my letter of November 16, 1909, to Senator Crane, I sympathize with the effort to obtain relief of Mr. Clifford through congressional action, for the reason that I think the principle now embodied in the liability act is a good one.

I recommend that the bill be approved.

WILLIAM CROZIER,
Brig. Gen., Chief of Ordnance, U. S. Army.

WAR DEPARTMENT, June 21, 1910.

Respectfully referred to the Judge Advocate General for report as to whether or not in his opinion the claim is meritorious.

By order of the Secretary of War:

JOHN C. SCOFIELD,
Assistant and Chief Clerk.

WAR DEPARTMENT,
OFFICE OF THE JUDGE ADVOCATE GENERAL,
Washington, D. C., June 24, 1910.

Respectfully returned to the Secretary of War.

The within bill (H. R. 26607, 61st Cong., 2d sess.), for the relief of Richard W. Clifford, purports to authorize the Secretary of the Treasury to pay to Clifford, "an employee at the United States armory in Springfield, Massachusetts, one thousand five hundred dollars, in compensation for permanent injuries to his left leg caused on October thirtieth, nineteen hundred and seven, by an accident in the shop where he was employed at the time."

The accompanying papers give the result of a full investigation of the matter, and show that while employed in the armory at Springfield Clifford was injured by the accidental discharge of a gun, without fault on his part, causing him a loss of 45 days' pay, amounting to \$100, and to incur hospital and medical expenses to the amount of \$85, the entire loss being about \$185.

So far as can be ascertained by the commanding officer of the Springfield Armory, the injury did not result in any permanent disability; and in the year following the injury Clifford was absent from the armory less than six days on account of illness.

Had the injury been incurred since the act of May 30, 1908, providing for compensation for injuries sustained by employees, Clifford would have been entitled to the benefits conferred by that act, which would have been limited to pay during a period of incapacity not exceeding one year. The within bill carries a benefit of \$1,500, which is a much more generous provision than that made by the permanent law above cited, and, in the absence of any permanent injury, the amount to be paid largely exceeds the amount necessary to reimburse him for all loss and expenses. In the opinion of this office the case is a meritorious one to the extent of the loss sustained by the claimant, amounting, as above stated, to \$185.

GEO. B. DAVIS,
Judge Advocate General.

WAR DEPARTMENT, June 29, 1910.

Respectfully returned to Hon. George W. Prince, chairman of the Committee on Claims, House of Representatives, inviting attention to the report of the Chief of Ordnance, contained in the third indorsement, and concurring in the opinion of the Judge Advocate General of the Army, expressed in the preceding indorsement hereon.

ROBERT SHAW OLIVER,
Acting Secretary of War.

[H. R. 7224, Sixty-second Congress, first session.]

A BILL For the relief of Rose B. Armour.

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Rose B. Armour, the widow of the late Samuel A. Armour, who lost his life on the night of January tenth, nineteen hundred and seven, in the faithful discharge of his duty in the face of danger, as keeper of the Sperry Light, in the harbor at New Haven, Connecticut, the sum of five thousand dollars.

Mr. Levy, from the Committee on Claims, submitted the following report (to accompany H. R. 7224):

The Committee on Claims, to whom was referred the bill (H. R. 7224) for the relief of Rose B. Armour, having considered the same, report thereon with a recommendation that it do pass with the following amendment:

Strike out of line 10 the word "ten" and insert in lieu thereof the word "five."

This is a case in which Samuel A. Armour, keeper of the Sperry Lighthouse, off the port of New Haven, Conn., in the discharge of his duties, on January 8, 1907, in a small boat, had carried ashore one Walter Gill, who had been at the station repairing the fog-signal engines. The said Samuel A. Armour in attempting to return to his post through a howling wind and raging sea was drowned, and his body was not recovered until several weeks after. According to the evidence submitted, Capt. Armour realized that the trip back to his post would be a perilous one, but did not regard his own safety, as his duty required him to be back in charge of his lights, which were especially needed in such a storm. He lost his life in public service, but all through the long, dark night Mrs. Rose B. Armour, his wife and the claimant under H. R. 7224, kept the lights burning just as her husband had always done. She was alone in the lighthouse and did her duty. The Hon. Oscar S. Straus, Secretary of the Department of Commerce and Labor, under date of February 4, 1908, heartily indorsed the bill for \$10,000. Your committee, recognizing the peril

of official duty performed in time of peace, believe that the dependent family should receive governmental assistance in the same degree as is based on our present pension laws, and we therefore heartily recommend that a bill carrying the sum of \$5,000 for the relief of Rose B. Armour do pass.

[H. R. 14772, Sixty-second Congress, second session.]

A BILL For the relief of Albert W. Phelps.

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Albert W. Phelps, out of any money in the Treasury not otherwise appropriated, the sum of fifty-two dollars and fifty cents, in compensation for permanent injuries he received on May thirteenth, nineteen hundred and eight, while employed in the United States armory in Springfield, Massachusetts.

Mr. Levy, from the Committee on Claims, submitted the following report (to accompany H. R. 14772):

The Committee on Claims, to whom was referred the bill (H. R. 14772) for the relief of Albert W. Phelps, having considered the same, report thereon with a recommendation that it do pass, with the following amendment:

In line 6 of said bill strike out the words "five hundred and forty-seven dollars and seventy-five," and insert in lieu thereof the words "fifty-two dollars and fifty."

A communication from the War Department, which is hereto attached and made a part of this report, presents the merits of the claim, and while it makes no recommendation, the honorable Judge Advocate General states that a claim for time actually lost by reason of the injuries would be meritorious.

[Second indorsement.]

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF ORDNANCE,
Washington, January 10, 1912.

Respectfully returned to the honorable the Secretary of War, with the information that the records of the Springfield Armory show that Albert W. Phelps, then a laborer at \$1.50 per diem, was injured at 1 p. m. May 13, 1908. The report made at the time states that when the shafting was started at 1 p. m. May 13, 1908, "the belt that drives one of the blowers for the forge shop caught in some way, pulling down the counter-shaft, and broke the pulleys and hangers. Mr. Phelps says that the belt struck him on the head. He was knocked down by it and his head cut in two places." In consequence of this injury he was out from May 13, 1908, until June 24, 1908, when he returned to work.

It is noted that the inclosed bill specifies "compensation for permanent injuries received May 13, 1908." The records of the Springfield Armory show that during the six months in 1908 following his return to work he missed but 1 hour, having been present for work every single day. During the calendar year 1909 he worked every day with the exception of 5 hours in June, 2 hours in December, and 3 days in August. During the calendar year 1910 he worked every day except 6 hours in February, 2½ days in March, 1 hour in June, 1 day in November, and 1 hour in December. During the 6 months of the calendar year 1911 preceding his discharge he worked every day except 1 day and 1 hour in January, 2½ days in February, 1½ days in March, and 4 days and 2 hours in April. Regarding these last absences, 1 day of that period is covered, as he said in his excuse for being absent, "by sickness in family"; 1 hour he was late; 1 day and 2 hours were covered by permission; and 7 days were covered, as he reported it, by sickness. In addition to the above absences, he, of course, received annually, as did all other employees, the 15 days' leave of absence with pay provided by law.

He was laid off on June 29, 1911, with a number of others, for lack of work and consequent reduction of force. At that time, according to the records, he was over 65 years of age, hence not as robust as a young man would have been. His record of attendance since his injury three and one-half years ago is fully as good or better than the average employee of the armory, and this office concurs in the conclusions reached by his immediate superiors that it is not considered that his attendance was affected in any way by the injury which he received nor that the accident caused permanent injuries.

WILLIAM CROZIER,
Brig. Gen., Chief of Ordnance, U. S. Army.

WAR DEPARTMENT,
January 11, 1912.

Respectfully referred to the Judge Advocate General for report as to whether or not in his opinion the claim is meritorious.

By order of the Secretary of War:

JOHN C. SCOFIELD,
Assistant and Chief Clerk.

[Fourth indorsement.]

WAR DEPARTMENT,
OFFICE OF THE JUDGE ADVOCATE GENERAL,
Washington, D. C., January 13, 1912.

Respectfully returned to the Secretary of War.

The within bill (H. R. 14772, 62d Cong., 2d sess.) provides relief, in the amount of his annual pay, for Albert W. Phelps, who, while at work at the Springfield Armory, was, on May 13, 1908, injured through the disarrangement of some of the machinery therein. It appears that the injury was not due to any misconduct or negligence on the part of Mr. Phelps, and had the act of May 30, 1908, providing compensation for injuries received by certain Government employees, been in force at the time of the above accident he would have been entitled to some measure of relief but not in the amount carried by the within bill.

The records of the Ordnance Department show that in consequence of this injury Phelps was out from May 13, 1908, until June 24, 1908, when he returned to work, and that for three years thereafter he remained almost constantly on his job. The act of May 30, 1908, provides that an injured employee "shall be entitled to receive for one year thereafter * * * the same pay as if he continued to be employed." It would appear, therefore, from the terms of the statute, that Phelps is entitled to receive compensation only from May 13, 1908, to June 24, 1908. It has been the uniform policy of this office to recommend that special bills carrying appropriations for the relief of parties under these circumstances should not provide for a greater appropriation than that which the general act itself would have afforded.

As to the question of permanent injuries, the indorsement of the Chief of Ordnance, dated January 10, 1912 (second indorsement hereon), would seem conclusively to indicate, in the absence of testimony of surgeons to the contrary, that the injury received by Phelps was not of a permanent nature, and that the condition in which he now finds himself is probably due to his advanced age.

Replying to the specific question "as to whether or not * * * the claim is meritorious," it is the opinion of this office that only the claim for compensation at his regular pay between May 13, 1908, and June 24, 1908, is meritorious.

E. H. CROWDER,
Judge Advocate General.

WAR DEPARTMENT, *January 15, 1912.*

Respectfully returned to Hon. Edward W. Pou, chairman of the Committee on Claims, House of Representatives, inviting attention to the report of the Chief of Ordnance, contained in the second indorsement, and concurring in the opinion of the Judge Advocate General of the Army, expressed in the preceding indorsement hereon.

ROBERT SHAW OLIVER,
Assistant Secretary of War.

[H. R. 3963, Sixty-second Congress, first session.]

A BILL For the relief of Peter W. Wigginton.

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Peter W. Wigginton, of Columbus, Ohio, out of any money in the Treasury not otherwise appropriated, the sum of eight hundred and ninety-six dollars and eighty-five cents, on account of loss of time by reason of injuries sustained by the said Peter W. Wigginton, namely, the crushing of his ankle joint in the discharge of his duties as an employee of the United States under the supervision and direction of the Isthmian Canal Commission on the Isthmus of Panama, on the thirtieth day of November, nineteen hundred and seven.

Mr. Mott, from the Committee on Claims, submitted the following report (to accompany H. R. 3963):

The Committee on Claims, to whom was referred the bill (H. R. 3963) for the relief of Peter W. Wigginton, having considered the same, report thereon with a recommendation that it do pass.

The Isthmian Canal Commission reports favorably on the matter, and had the accident taken place before the act of August 11, 1908, Mr. Wigginton would have received the amount asked for, \$896.85, which is simply pay for the time he was laid up and unable to do work by reason of his injuries, over and above the time for which he could be allowed leave.

Attached hereto are letters and statements from the Isthmian Canal Commission which are made a part of this report.

ISTHMIAN CANAL COMMISSION,
Washington, May 20, 1910.

Hon. GEO. W. PRINCE,
Chairman Committee on Claims, House of Representatives.

SIR: Referring to your letter of April 25, 1910, inclosing a copy of the bill H. R. 17405, for the relief of Peter W. Wigginton, and requesting all facts and information concerning the matter, and to the reply from this office of April 28, in which you were informed that your communication would be forwarded to the chairman and chief engineer of the commission on the Isthmus, I have the honor to state that a letter has been received from the chairman and chief engineer, under date of May 11, inclosing a copy of correspondence on file in his office concerning the case, which is transmitted herewith.

Very respectfully,

F. C. BIGGS,
*Captain, Corps of Engineers, U. S. Army,
Chief of Office.*

MARCH 27, 1909.

Hon. E. L. TAYLOR, JR.,
House of Representatives, Washington, D. C.

SIR: Referring to your letter to the chairman and chief engineer, dated the 15th instant, requesting a complete history of the case of Peter W. Wigginton, the following is submitted:

Mr. Wigginton was employed in the United States, for service on the Isthmus, as carpenter at 65 cents an hour, and sailed from New York November 23, 1906. On August 28, 1907, he was transferred from the division of building construction to the Culebra division and rerated as pile driver engineer at \$125 a month. On November 23, 1907, his compensation was increased, on account of longevity, to \$131.25 a month.

On November 30, 1907, Mr. Wigginton jumped from his pile driver, to escape a part of the mechanism which had broken loose from its bearings, and fractured his ankle. He was removed to Ancon Hospital on the same day and was treated there until February 26. Upon leaving the hospital, he went to the United States, sailing February 28, to rest and recuperate. He reported for duty July 25, 1908.

After Mr. Wigginton had returned to the Isthmus, he claimed that his slow and imperfect recovery had been due to inefficient surgical treatment at Ancon Hospital.

His complaint was investigated, but it appeared to be unreasonable. The circumstances attending his injury, and its exact consequences, are explained in the injury report, dated December 2, 1907; the statement of Dr. A. B. Herrick, in charge of the surgical clinic at Ancon Hospital, dated December 5, 1908, and the letter of Maj. John L. Phillips, dated December 7, 1908, copies of which are attached.

The regulations of the Isthmian Canal Commission, in force at the time of Mr. Wiggington's accident and during the period of his convalescence, provide that an employee may be allowed 30 days' injury leave in each calendar year, and 15 days' sick leave for each six months' service, this sick leave being accumulative up to 30 days.

Mr. Wiggington was first granted 30 days' injury leave, from December 1 to December 30, inclusive, for the calendar year 1907, and 30 days injury leave, from January 1 to January 30, inclusive, for the calendar year 1908. He was then granted 15 days' sick leave, from February 1 to February 15, inclusive. Mr. Wiggington was next granted, by special order, 90 days' leave of absence without pay, beginning February 28, 1908, and this leave was subsequently extended for a further period of 60 days.

Upon receipt of your letter, dated July 3, representing the unfortunate condition of Mr. Wiggington's affairs, an investigation was made to ascertain whether Mr. Wiggington could be granted, lawfully, additional sick leave or injury leave with pay, and it appeared that he was entitled to 30 days more of leave, and you were advised to that effect in a letter from this office dated July 23, 1908. It was subsequently discovered, however, that Mr. Wiggington could not be given any additional pay except for the period from February 16 to February 27, inclusive. For the time preceding this period he had already been paid, and during the time subsequent to this period he was on authorized leave of absence without pay, and the comptroller has ruled, it appears, that the commission is without authority to grant pay for leave already taken and allowed without pay. A copy of this decision of the comptroller (rendered in the case of Mr. V. H. Pinckney, under date of March 3, 1906), which the accounting officers on the Isthmus consider applicable to the case of Mr. Wiggington, is also inclosed herewith.

To summarize briefly the facts in this case, Mr. Wiggington was given 60 days' injury leave with pay and 28 days' sick leave with pay. He was then granted leave of absence without pay for 150 days, of which he used 148. He was also treated surgically and subsisted at the expense of the commission from November 30, 1907, to February 26, 1908, and although Mr. Wiggington has complained that the means adopted to effect a cure were inefficient, no evidence has been produced to show that this contention is a reasonable one.

After his return to duty, on July 25, 1908, Mr. Wiggington continued in the service until January 20, 1909, when he entered on 51 days' combined vacation leave and lay-over time, with pay, and submitted his resignation, to take effect at the expiration of this leave.

Respectfully,

H. F. HODGES,
Acting Chairman.

ISTHMIAN CANAL COMMISSION,
ANCON HOSPITAL,
Ancon, December 7, 1908.

THE CHIEF SANITARY OFFICER,
Ancon.

SIR: I have the honor to invite attention to the attached letter of Dr. A. B. Herrick, under whose charge Mr. Wiggington was while a patient in this hospital. From this it would appear that Mr. Wiggington had an unusually severe fracture of both bones of the leg about the ankle joint; that not only were both bones fractured across in the usual way but that the lower heads of the tibia, the bone which is almost entirely concerned in the articulation with the foot, was crushed, the crush involving its articular end.

In view of this, Mr. Wiggington is very fortunate to have an ankle that is partially serviceable, and there is nothing in the case to warrant any charge of neglect or ill-advised treatment. It is simply a very severe fracture involving one of the large joints which are as a class most intractable and, as a rule, leave a permanently impaired joint.

Very respectfully,

JOHN L. PHILLIPS, *Superintendent.*

ISTHMIAN CANAL COMMISSION,
ANCON HOSPITAL,
Ancon, December 5, 1908.

Respectfully returned to the superintendent, Ancon Hospital, with report that Mr. P. W. Wiggington was in Ancon Hospital from November 30, 1907, to February 26, 1908, with a Pott's fracture of right ankle. The fracture was unusually severe and badly comminuted, and after two months' treatment only fibroid union had taken place which, of course, allowed the foot to take abnormal positions when used. This necessitated keeping the foot in splints longer than usual in such cases, and also would leave a weak ankle for months after the injury, if not some weakness in that ankle for life. The fracture in this case not only was of the head of the fibula and the condyle of the tibia, but also a crush of the lower head of the tibia, which is barely visible in the accompanying radiograph. The radiograph, however, does show a lack of the true callus formation in the two malleoli.

As to the cause of the early fibroid and resulting delayed and weakened union in this case, it is impossible to say beyond the fact that it is something inherent in the individual case, and Mr. Wiggington was especially unfortunate in the fact that it involved such an important joint.

A. B. HERRICK.

[Isthmian Canal Commission, Culebra division.]

REPORT OF PERSONAL INJURIES.

1. Name of injured person, Peter W. Wiggington. 2. Occupation, pile-driver engineer. 3. Date of occurrence, November 30, 1907. 4. Hour, 3.45 a. m. 5. Weather, fair. 6. Place where accident occurred, Miraflores, at pile driver No. 2. 7. Nature of accident, ankle broken or out of place. 8. How did accident occur? Was shifting leads with bar, bolt came out of moon beam and knocked him off of driver, and he turned and jumped to save himself. 9. What does injured person say was cause of accident? While shifting leads with bar bolt came out of moon beam and knocked me off of driver. I had to jump to save myself. 10. Was accident due to negligence of injured person, or whom? No one. 11. Nature and extent of injuries sustained, ankle broken or out of place; no information received from hospital. 12. What was done with injured person? Taken immediately to Miraflores. 13. What doctor gave him first attention? No doctor at Miraflores. 14. How long will injured person probably be unfitted for duty? No information received concerning nature of accident. 15. Witnesses: Carlos Alfredo, subforeman; Benjamin Ramsey, carpenter; Charles Jordan, carpenter. 16. Was injured person lame, deaf, blind, or afflicted with poor eyesight? No. 17. Was he drunk? No. 18. Had he been drinking? No.

B. B. BROWN,
Superintendent of Construction.

PEDRO MIGUEL DISTRICT,
December 2, 1907.

[H. R. 19851, Sixty-first Congress, second session.]

A BILL For the relief of Raymond R. Ridenour.

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Raymond R. Ridenour, of Columbus, Ohio, out of any money in the Treasury not otherwise appropriated, the sum of five hundred dollars, on account of the loss of thumb and forefinger on his left hand as the result of an injury while in the discharge of his duties as an employee of the United States under the supervision and direction of the Isthmian Canal Commission on the Isthmus of Panama, on the seventeenth day of November, nineteen hundred and six.

Mr. Mott, from the Committee on Claims, submitted the following report (to accompany H. R. 19851):

The Committee on Claims, to whom was referred the bill (H. R. 19851) for the relief of Raymond R. Ridenour, having considered the same, report thereon with a recommendation that it do pass with the following amendment:

In line 6 strike out the words "two thousand," and let the amended bill read only "five hundred dollars."

The claimant under this bill was injured without fault or negligence of his own, while employed by the Isthmian Canal Commission, losing his thumb and forefinger of his left hand and having his hand badly mangled.

Statements and letters from the Isthmian Canal Commission are made a part of this report.

ISTHMIAN CANAL COMMISSION,
Culebra, Canal Zone, January 4, 1910.

Hon. E. L. TAYLOR, Jr., M. C.,
Washington, D. C.

SIR: In response to your letter of December 20, requesting a report of the injury to Raymond R. Ridenour, a former employee of the commission who lost a part of his hand as the result of an injury while on the Isthmus, I beg to inclose herewith a copy of the personal-injury report; a letter written by Mr. Ridenour, under date of December 19, 1906; a copy of the physician's certificate, dated December 15, 1906; and a copy of a letter authorizing the disbursing officer to pay Mr. Ridenour meritorious sick leave; these papers giving the history of his injury as shown by our records.

Respectfully,

GEO. W. GOETHALS, *Chairman.*

CULEBRA, December 27, 1906.

Mr. E. J. WILLIAMS,
Disbursing Officer, Empire.

SIR: Raymond R. Ridenour, employed as machinist at 65 cents gold per hour, was injured at Gorgona shops on November 17, while in the performance of his duties and was unable to report for duty again from that date until December 15, losing 23½ days, or 186 hours.

Will you kindly arrange to allow this man pay for meritorious sick leave, covering this time, as provided for in the resolution of the commission governing in such cases?

Respectfully,

E. P. SHANNON,
Secretary to Chief Engineer.

GORGONA HOSPITAL, December 15, 1906.

I certify that Raymond R. Ridenour, check 187, machinist, has been unfit for duty on account of amputation of fingers from November 17, 1906, to December 15, 1906, inclusive.

WM. FAWCETT SMITH, M. D.,
District Physician.

GORGONA, CANAL ZONE, December 19, 1906.

Mr. E. C. CUMMINGS,
Master Mechanic, Bas Matachin Shops.

DEAR SIR: On account of the accident which occurred to me on the 17th of November, whereby I lost the thumb and forefinger of my left hand, I beg to make application for the granting of pay for 30 days' sick leave, which I understand is granted to employees in meritorious cases.

The accident occurred as follows: In accordance with the regular custom in the shops on Saturdays, I undertook to clean the machine on which I was working (the drill press in the boiler shop); having thrown off the belt, I climbed up and began to wipe off the upper part of the machine. In some manner the machine started and before I could prevent it the waste with which I was cleaning the machine became caught in the upper gears, drawing my left hand between the gears. As the belt was on the loose pulley the machine luckily stopped after crushing only the thumb and forefinger.

In view of the fact that this accident was caused through no negligence of my own, and I was forced thereby to remain off duty from the 17th of November to the 17th of December, I ask that you give this application your kind consideration.

Very respectfully,

RAYMOND R. RIDENOUR.

[Isthmian Canal Commission, mechanical division.]

REPORT OF PERSONAL INJURIES.

1. Name of injured person, Raymond Ridenour. 2. Occupation, machinist, V. 3. Date of occurrence, November 17, 1906. 4. Hour, 3 p. m. 5. Weather, cloudy. 6. Place where accident occurred, north side of boiler shop, Bas Matachin shops. 7. Nature of accident, thumb and first finger of left hand cut off. 8. How did accident occur? Cleaning drill press, waste caught and drew his hand into the gears. 9. What does injured person say was cause of accident? Employee went to hospital for treatment immediately after accident occurred and made no statement. 10. Was accident due to negligence of injured person, or whom? No one. 11. Nature and extent of injuries sustained, thumb and first finger of left hand cut off. 12. What was done with injured person? Taken to Gorgona Hospital. 13. What doctor gave him first attention? Dr. Smith. 14. How long will injured person probably be unfitted for duty? —. 15. Witnesses: Anthony Seufert, pipefitter, Grade V, white; S. A. Wood, pipefitter, Grade V, white. 16. Was injured person lame, deaf, blind, or afflicted with poor eyesight? No. 17. Was he drunk? No. 18. Had he been drinking? No.

E. C. CUMMINGS, *Master Mechanic.*

NOVEMBER 19, 1906.

ISTHMIAN CANAL COMMISSION,
*Washington, April 20, 1910.*HON. GEORGE W. PRINCE,
Chairman Committee on Claims, House of Representatives.

SIR: I have the honor to acknowledge the receipt of your letter of the 19th instant, inclosing a copy of the bill (H. R. 19851) for the relief of Raymond R. Ridenour, who was injured while in the employ of the commission on the Isthmus, and requesting all facts and information concerning the matter in the possession of the commission.

In reply there is inclosed herewith a copy of a self-explanatory letter, with inclosures, addressed to the Hon. E. L. Taylor, jr., Representative in Congress, by the chairman of the commission, under date of January 4, 1910, in response to a similar request from Mr. Taylor, which correspondence contains full information relative to the injury to Mr. Ridenour.

By direction of the chief of office.

Very respectfully,

A. L. FLINT,
Acting Assistant to the Chief of Office.

JANUARY 4, 1910.

HON. E. L. TAYLOR, JR., M. C.,
Washington, D. C.

SIR: In response to your letter of December 20, requesting a report of the injury to Raymond R. Ridenour, a former employee of the commission, who lost a part of his hand as the result of an injury while on the Isthmus, I beg to inclose herewith a copy of the personal-injury report; a letter written by Mr. Ridenour, under date of December 19, 1906; a copy of the physician's certificate, dated December 15, 1906; and a copy of a letter authorizing the disbursing officer to pay Mr. Ridenour meritorious sick leave; these papers giving the history of his injury as shown by our records.

Respectfully,

GEO. W. GOETHALS, *Chairman.*

CULEBRA, December 27, 1906.

MR. E. J. WILLIAMS,
Disbursing Officer, Empire.

SIR: Raymond R. Ridenour, employed as machinist at 65 cents gold per hour, was injured at Gorgona shops on November 17 while in the performance of his duties and was unable to report for duty again from that date until December 15, losing 23½ days, or 186 hours.

Will you kindly arrange to allow this man pay for meritorious sick leave, covering this time, as provided for in the resolution of the commission governing in such cases?

Respectfully,

E. P. SHANNON,
Secretary to the Chief Engineer.

GORGONA HOSPITAL,
December 15, 1906.

I certify that Raymond R. Ridenour, check 187, machinist, has been unfit for duty on account of amputation of fingers from November 17, 1906, to December 15, 1906, inclusive.

WM. FAWCETT SMITH, M. D.,
District Physician.

GORGONA, CANAL ZONE, December 19, 1906.

Mr. E. C. CUMMINGS,
Master Mechanic, Bas Matachin Shops.

DEAR SIR: On account of the accident which occurred to me on the 17th of November, whereby I lost the thumb and forefinger of my left hand, I beg to make application for the granting of pay for 30 days' sick leave, which I understand is granted to employees in meritorious cases.

The accident occurred as follows: In accordance with the regular custom in the shops on Saturdays, I undertook to clean the machine on which I was working (the drill press in the boiler shop). Having thrown off the belt, I climbed up and began to wipe off the upper part of the machine. In some manner the machine started, and before I could prevent it the waste with which I was cleaning the machine became caught in the upper gears, drawing my left hand between the gears. As the belt was on the loose pulley, the machine luckily stopped after crushing only the thumb and forefinger.

In view of the fact that this accident was caused through no negligence of my own, and I was forced thereby to remain off duty from the 17th of November to the 17th of December, I ask that you give this application your kind consideration.

Very respectfully,

RAYMOND R. RIDENOUR.

[Isthmian Canal Commission, mechanical division.]

REPORT OF PERSONAL INJURIES.

Name of injured person, Raymond Ridenour. Occupation, machinist, V. Date of occurrence, November 17, 1906. Hour, 3 p. m. Weather, cloudy. Place where accident occurred, north side of boiler shop, Bas Matachin shops. Nature of accident, thumb and first finger of left hand cut off. How did accident occur? Cleaning drill press, waste caught and drew his hand into the gears. What does injured person say was cause of accident? Employee went to hospital for treatment immediately after accident occurred and made no statement. Was accident due to negligence of injured person, or whom? No one. Nature and extent of injuries sustained, thumb and first finger of left hand cut off. What was done with injured person? Taken to Gorgona Hospital. What doctor gave him first attention? Dr. Smith. Witnesses: Anthony Seufert, pipefitter, Grade V, white; S. A. Wood, pipefitter, Grade V, white. Was injured person lame, deaf, blind, or afflicted with poor eyesight? No. Was he drunk? No. Had he been drinking? No.

E. C. CUMMINGS, Master Mechanic.

NOVEMBER 19, 1906.

[H. R. 3958, Sixty-second Congress, first session.]

A BILL For the relief of the heirs of Charles E. Stump.

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to the heirs of Charles E. Stump, of Columbus, Ohio, out of any money in the Treasury not otherwise appropriated, the sum of one thousand five hundred dollars on account of the death of the said Charles E. Stump, as a result of injuries received while in the discharge of his duties as an employee of the United States, under the supervision and direction of the Isthmian Canal Commission, on the Isthmus of Panama, on the fourteenth day of November, nineteen hundred and five.

Mr. Mott, from the Committee on Claims, submitted the following report (to accompany H. R. 3958):

The Committee on Claims, to whom was referred the bill (H. R. 3958) for the relief of the heirs of Charles E. Stump, having consid-

ered the same, report thereon with a recommendation that it do pass with the following amendment:

Page 1, line 6, strike out the words "five thousand" and insert in lieu thereof the words "fifteen hundred."

From the evidence submitted by the Isthmian Canal Commission it would seem that the claimant died as the result of a railroad accident for which he was not responsible.

Under the act of May 30, 1908, his heirs would have been entitled to one year's pay, \$1,500, and the committee bases its report upon said act.

Attached hereto are letters and communications from the Isthmian Canal Commission, which are made a part of this report.

ISTHMIAN CANAL COMMISSION,
Washington Office, July 8, 1910.

HON. GEO. W. PRINCE,
Chairman Committee on Claims, House of Representatives,
Washington, D. C.

SIR: Referring to your communication of June 11, 1910, inclosing a copy of the bill (H. R. 25548) for the relief of the heirs of Charles E. Stump, who died as a result of injuries received while in the employ of the Isthmian Canal Commission on the Isthmus and requesting that your committee be furnished all facts and information concerning this matter, and to the acknowledgment from this office of June 13, in which you were advised that your communication would be forwarded to the proper authorities on the Isthmus for report, I now have the honor to transmit herewith a copy of a letter from the chairman of the commission, dated June 29, regarding the injury sustained by Mr. Stump, together with a copy of the official report of Mr. Stump's death, transmitted therewith.

Very respectfully,

F. C. Boggs,
Captain, Corps of Engineers, U. S. Army,
Chief of Office.

ISTHMIAN CANAL COMMISSION,
Culebra, Canal Zone, June 29, 1910.

Capt. F. C. Boggs,
Chief of Office, Isthmian Canal Commission,
Washington, D. C.

SIR: The receipt is acknowledged of copy of your letter of June 13 to Representative George W. Prince, relative to information concerning the death of Charles E. Stump, who died as a result of injuries received on November 14, 1905, while employed by the commission as a conductor.

The following narrative is quoted from a letter written by the superintendent of transportation on the day following the accident:

"Conductor C. E. Stump in charge of double header extra Nos. 463 and 98 was injured at Haut Obispo at 5 p. m., October 14. He had made up his train of 20 French dump cars loaded with rock ballast to follow train No. 3 to leave Haut Obispo about 5.15 p. m., and was backing train up by switch just south of the old magazine building on the Haut Obispo track to let another train back in on the side track so that he could pull out to main line and follow the passenger train upon its arrival. The train was all coupled up and making the regular movement back when Stump undertook to get on his train between the third and fourth car from the engine on the south end of train and had grabbed hold of one of the doors on the fourth car with his right hand and also caught the other car at the end with his left hand. The colored brakeman who saw the accident claimed that the door came unfastened while he was hanging on to it, causing it to drop, and he slipped in some way, falling across the rail with both legs, and the third car from the engine ran over him, cutting off his left leg below the knee and badly mangling same above the knee, which, presume, will result in amputation above knee. Right leg was also run over and fear that both legs are lost.

"I was at the main line switch at Haut Obispo at time of accident and immediately sent for marine doctor and also sent for our doctor at Bas Obispo; had both doctors

on the ground about 15 minutes after accident and arranged to hold passenger train 10 minutes and we had Stump in shape to go into Ancon Hospital on passenger train at 5.30 p. m., in charge of Dr. Caldwell from Bas Obispo. I do not believe his injuries were serious other than his limbs, but fear that his condition is critical.

"At time of accident it was raining and everything was quite slippery. Train only ran about three or four French dump car lengths after Stump fell."

I also inclose an official copy of the record of Mr. Stump's death, which contains other information.

Respectfully,

GEO. W. GOETHALS,
Chairman and Chief Engineer.

REPORT OF DEATH.

Surname, Stump. Christian name, Charles E. Nationality, American. Position, conductor for I. C. C. Department in which employed, engineering; paid in gold. Residence on Isthmus, Culebra. Date and place where born, —. Married or single, married. Address of family: wife, Mrs. Charles E. Stump, Culebra, C. Z. Date of admission to the hospital, November 14, 1905. Date of death, November 15, 1905. Cause of death, both lower extremities crushed in railroad accident at Bas Obispo; died of shock.

JOHN L. PHILLIPS,
Superintendent.

Dated at Ancon Hospital the 15th day of November, 1905.

Deceased left following effects, which have been turned over to administrator of estates: 1 knife, 1 gold watch, padlock, 1 brass key, 2 steel keys, 1 pay certificate for \$125, gold; \$238, gold; \$1.85 local currency.

NOTE.—Upon the death of any person in any of the hospitals of the Zone, or under the observation of or within the knowledge of any physician or police officer in the service of the zone, this report will be forwarded immediately, through proper channels, to the governor. It should be accompanied by an inventory of any property left by the deceased, so far as known, and a statement of the location of the property.

A true copy.

C. L. LUEDTKE, *Assistant Chief Clerk.*

Copy furnished November 16, 1905: Washington office, administrator of estates, disbursing officer, local auditor.

ISTHMIAN CANAL COMMISSION,
Washington Office, June 13, 1910.

HON. GEO. W. PRINCE,
Chairman Committee on Claims, House of Representatives.

SIR: I have the honor to acknowledge the receipt of your communication of the 11th instant, inclosing a copy of the bill (H. R. 25548) for the relief of the heirs of Charles E. Stump, who died as a result of injuries received while in the employ of the Isthmian Canal Commission on the Isthmus of Panama, and requesting that your committee be furnished all facts and information concerning this matter.

In reply you are informed that the records of this office merely show that Charles E. Stump, who was a work-train conductor, was injured in a railroad accident on November 14, 1905, and that he died the next day. The report of death shows that both lower extremities of the deceased were crushed in railroad accident at Bas Obispo, Canal Zone, and that he died of "shock." As there is nothing in the files of this office to show how the accident occurred, your letter will be forwarded to the proper authorities on the Isthmus for further report, upon receipt of which you will be communicated with again. In the meantime, it may be stated that the rate of pay received by the deceased at the time of his death was \$125 per month.

Very respectfully,

F. C. BOGGS,
*Captain, Corps of Engineers, United States Army,
Chief of Office.*

ISTHMIAN CANAL COMMISSION,
Culebra, Canal Zone, April 23, 1910.

HON. E. L. TAYLOR, JR.,
House of Representatives, Washington, D. C.

SIR: I am in receipt of your letter of the 8th instant, requesting that you be advised in detail regarding the death of Mr. Charles E. Stump, which occurred on November 15, 1905

I quote below extract from a letter received from the division engineer of the central division, which shows the manner in which Mr. Stump met his death.

"I beg to advise that Mr. Charles E. Stump was injured at 5 p. m., November 14, 1905, while handling a string of French dump cars at Bas Obispo. He had caught one of the cars and was hanging on one of the doors, which opened and caused him to slip off, both legs falling across the rail and being run over. He was sent to Ancon Hospital on passenger train No. 7 on November 14, and died at Ancon Hospital at 10 p. m. the same night."

There is also inclosed herewith, for your information, a copy of the official report of death, which was furnished this office at the time of Mr. Stump's death.

Respectfully,

GEO. W. GOETHALS, *Chairman*.

REPORT OF DEATH.

Surname, Stump. Christian name, Charles E. Nationality, American. Position, conductor for I. C. C. Department in which employed, engineering; paid in gold. Residence on Isthmus, Culebra. Date and place where born, _____. Married or single, married. Address of family: Wife, Mrs. Charles E. Stump, Culebra, C. Z. Date of admission to the hospital, November 14, 1905. Date of death, November 15, 1905. Cause of death, both lower extremities crushed in railroad accident at Bas Obispo; died of shock.

Dated Ancon Hospital the 15th day of November, 1905.

JOHN L. PHILLIPS, *Superintendent*.

Deceased left the following effects, which have been turned over to the administrator of estates: 1 knife, 1 gold watch, padlock, 1 brass key, 2 steel keys, 1 pay certificate for \$125 (gold), \$1.85 local silver.

[H. R. 16608, Sixty-second Congress, second session.]

A BILL For the relief of Loretta E. Smith.

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Loretta E. Smith, widow of George H. Smith, a sum equal to one year's salary at the rate of pay he was receiving at the time of his demise, said sum to be considered as full compensation for his death in the performance of his duties on September eighth, nineteen hundred and nine.

Mr. Pou, from the Committee on Claims, submitted the following report (to accompany H. R. 16608):

The Committee on Claims, to whom was referred the bill (H. R. 16608) for the relief of Loretta E. Smith, having considered the same, report thereon with a recommendation that it do pass with the following amendment:

In line 5 of said bill strike out the words "a sum equal" and insert in lieu thereof the words "one thousand two hundred and forty-eight dollars, which sum equals."

In line 9, after the word "nine," add the words "which amount is hereby appropriated."

The bill when amended will read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Loretta E. Smith, widow of George H. Smith, one thousand two hundred and forty-eight dollars, which sum equals one year's salary at the rate of pay he was receiving at the time of his demise, said sum to be considered as full compensation for his death in the performance of his duties on September eighth, nineteen hundred and nine, which amount is hereby appropriated.

The claimant under this bill is the widow of one George H. Smith, who died from injuries received while employed in the construction of the Capitol power plant. The accident causing death was not due to any negligence on the part of said Smith, and as the building

which was under construction does not seem to belong to any branch of the Government service as enumerated under the act of May 30, 1908, the only relief that can be given to his widow and children is by an act of Congress.

Attached hereto are certain communications and affidavits, which are the basis for the committee's findings, and they are hereby made a part of this report.

25 E STREET SE.,
Washington, D. C., September 8, 1909.

HON. ELLIOTT WOODS,
Superintendent United States Capitol Building and Grounds,
Washington, D. C.

DEAR SIR: I beg to report an accident to George H. Smith, one of the ironworkers, while riveting the bottom of one of the trusses in the roof of the turbine room, heating, lighting, and power plant for Congressional Building, Garfield Park, Washington, D. C.

He was one of a gang of four men engaged in riveting the truss, and was holding a spring dolly on the head of a rivet while lying on his stomach across the scaffold. The scaffolding was composed of four planks arranged in the form of a letter A, two ends of the planks forming a point resting on the lower flange of the wall channel, the other two open ends resting on the bottom chord of the truss. Across the top of these planks were two other planks near the truss upon which the truss upon which the man was lying holding the tool.

It is presumed that the jar of the tools caused one of the planks at the wall end to become dislodged, causing the scaffolding to give way.

The man fell from the roof through the iron structure of the turbine-room floor to the basement floor.

An ambulance was called and the man removed to the Casualty Hospital. The surgeon stated while the man was being removed that it looked like a fracture of the skull.

Respectfully,

F. E. CALDWELL,
Superintendent of Construction.

THE EASTERN DISPENSARY AND CASUALTY HOSPITAL,
Washington, D. C., March 1, 1912.

George W. Smith, living at 119 C Street NE., was admitted to this hospital September 8, 1909. Occupation, ironworker; age, 46; male; white. Time call was received, 9 a. m.; time of arrival to hospital, 9.20 a. m.; diagnosis, fracture skull and fracture of ribs; fell 40 feet from iron structure at Government power house in Garfield Park; was not a hospital case—for he died within 24 hours—but was an emergency case. First treated by Dr. Habel.

F. P. BARNES.

OFFICE OF SUPERINTENDENT,
U. S. CAPITOL BUILDING AND GROUNDS,
Washington, D. C., October 26, 1911.

HON. ELLIOTT WOODS,
Superintendent United States Capitol Building and Grounds,
Washington, D. C.

SIR: In relation to the accident to George H. Smith, which occurred on September 8, 1909, he was one of the ironworkers employed on the construction of the Capitol power plant.

He was one of four men engaged in riveting the truss, and was holding a spring dolly on the head of a rivet while lying on his stomach across the scaffold. The scaffolding was composed of four planks arranged in the form of a letter A, two closed ends of the planks forming a point resting on the lower flange of the wall channel, the other two open ends resting on the bottom chord of the truss. Across the top of these planks were two other planks near the truss upon which the man was lying holding the tool.

It is presumed that the jar of the tools caused one of the planks at the wall end to become dislodged, causing the scaffolding to give away.

The man fell from the roof through the iron structure of the turbine room floor to the basement floor, a distance of about 60 feet.

An ambulance was called and the man removed to the Casualty Hospital. The surgeon stated while the man was being removed that it looked like a fracture of the skull. This happened about 9.30 a. m. He died at 4 p. m. same day.

Respectfully,

C. P. GLIEM,
Chief Electrical Engineer.

SEPTEMBER 17, 1911.

Mrs. LORETTA E. SMITH,
Box 35, Hancock, Md.

DEAR MADAM: I am in receipt of your letter of September 15, and it is with deep regret that I have just learned, upon my return to the city, the facts connected with the death of your husband, on September 8 last, and it is with further regret that I am compelled to say that I do not find myself in position to give you any relief except the possibility of waiting until the coming session of Congress and bringing the attention of the proper committee to all of the facts relating to this unfortunate accident. A full report of it has been made to me by the man in charge of the work.

The question of relief by Congress is one that can not be guaranteed, although I am perfectly willing to use my official influence to obtain some remuneration for you.

Very respectfully,

ELLIOTT WOODS,
Superintendent U. S. Capitol Building and Grounds.

CITY OF WASHINGTON,
District of Columbia, ss:

Edgar F. Hackley, of the city of Washington, D. C., on oath says:

That he is a structural ironworker and was employed for a period of about seven months by the United States Government on the construction of the Capitol power plant, in Garfield Park grounds, and was so employed on September 8, 1909, the day George H. Smith was killed; that the riveting gang in which Smith worked consisted of Elmer Harrison, William Carpenter, George H. Smith, and affiant; that the scaffold on which Smith was working at the time of the accident was constructed of plank 2 by 12 by 14; that the jar of the framework of the building probably caused the end of the scaffold to become dislodged from the wall channel; that the distance between the channel and the wall of the building was about two inches; that at the time of the accident he was driving rivets on the truss, standing on a scaffold, and that Elmer Harrison was standing with him on the same scaffold, while Smith was lying on his stomach on another scaffold on the other side of the truss; that they were on the fifth rivet at the time of the accident; that the scaffold on which Smith was working and on which he was lying on his stomach suddenly gave way, wholly without warning of any kind, suddenly precipitating Smith to the basement floor, from which he was picked up in an unconscious condition and at once removed to the Casualty Hospital, where he died the same day, September 8, 1909, at about 4 o'clock p. m.; that it was through no fault of Smith's that the accident occurred, and that he was in nowise guilty of negligence in the matter; that he knows Smith left a widow, Loretta E. Smith, now living in Washington, and four small children, all very young and in constant need of a mother's care, and he understands and believes the widow is in very poor circumstances and in need of relief.

EDGAR F. HACKLEY.

Subscribed and sworn to before me, a notary public in and for the District of Columbia, this 16th day of February, A. D. 1912.

[SEAL.]

JAMES M. WOOD,
Notary Public, District of Columbia.

CITY OF WASHINGTON,
District of Columbia, ss:

William F. Carpenter, of the city of Washington, D. C., on oath says:

That he is an ironworker and was employed by the United States Government on the work of constructing the Central heating and power plant in Garfield Park, and was one of the four men working in the gang at the time George H. Smith fell and was killed; that said George H. Smith was working on a scaffold on one side of a truss; that Elmer Harrison and Edgar F. Hackley were working on another scaffold on the other side of the same truss while affiant was engaged in heating the rivets; that

Smith was holding a spring dollie, lying on his stomach on the scaffold, when suddenly and without warning the scaffold gave way and Smith was precipitated to the basement floor, a distance of between 60 and 80 feet; that in the descent his body struck the edge of one of the engine-bed piers a glancing blow and then fell to the basement floor, a distance of perhaps 10 feet from the head of the pier; that he was at once sent to the casualty hospital where he died the same afternoon, September 8, 1909; that he heard Elmer Harrison and Edgar F. Hackley both say they tested the scaffold on which Smith was working, by swinging on it, and that they considered it perfectly safe and were greatly surprised when it gave way as they were driving a rivet; that the said Edgar F. Hackley was so shocked on account of the accident that he quit the job and the ironworking business at once and forever, and has since been engaged in other business; that Smith was the most careful man he ever knew in the ironworking business; that he was not a drinking man; that he never saw him take a drink of intoxicating liquor in his lifetime, nor did he ever see him under the influence of liquor or drink and that he was always cautioning other men to be careful; that Smith's death was in no wise due to his own carelessness or negligence or to negligence or carelessness on the part of his fellow employees, but must have been due to the jarring of the framework of the building; that he knows Smith left a widow, Loretta E. Smith, and four small children, all residing in this city, who are in very needy circumstances.

WILLIAM F. CARPENTER.

Subscribed and sworn to before me, a notary public in and for the District of Columbia, this 20th day of February, 1912.

[SEAL.]

JAMES M. WOOD,
Notary Public, District of Columbia.

DEPARTMENT OF COMMERCE AND LABOR,
OFFICE OF THE SECRETARY,
March 17, 1910.

SIR: Replying to your communication of March 10, 1910, making inquiry as to whether Mrs. Loretta E. Smith is entitled to the benefits of the act of May 30, 1908, on account of the death of her husband, George H. Smith, I have to say that the case does not seem to come within the terms of the statute.

It appears from the papers submitted that Mr. Smith was employed by the United States as an artisan or laborer in the construction of the new heating, lighting, and power plant of the congressional buildings in this city, and that while so employed he was accidentally killed on September 8, 1909.

The act referred to by you is confined in its operation to artisans or laborers employed by the United States in any of its "manufacturing establishments, arsenals, or navy yards, or in the construction of river and harbor or fortification work, or in hazardous employment on construction work in the reclamation of arid lands or the management and control of the same, or in hazardous employment under the Isthmian Canal Commission." The place where Mr. Smith was employed does not, so far as the record discloses, belong to any of the branches of the Government service here enumerated.

Respectfully,

Assistant Secretary.

HON. GEORGE A. PEARRE, M. C.,
House of Representatives, Washington, D. C.

CITY OF WASHINGTON,
District of Columbia, ss:

Loretta E. Smith, of the city of Washington, D. C., on oath says:

That she is the widow of George H. Smith, one of the ironworkers employed on the construction of the Capitol power plant; that her husband lost his life on September 8, 1909, by falling from a defectively constructed scaffold which he believed to be safe, as he was always very careful about working on scaffolds; that he was her sole and only means of support; that besides affiant deceased left four small children, aged respectively as follows:

George Widmeyer Smith, aged 19 months; Thomas Pearson Smith, aged 4 years
Virgil Elizabeth Smith, aged 5 years and 6 months; Mary Natalie Smith, aged 8 years.
That he left no real estate and that the personal estate, consisting of furniture, etc.,

owned by him at the time of his death amounted to about \$200; that she must support herself and is charged with the support and education of her four small children, all of whom are too young to be of any assistance to her, and that by reason of their tender years she is unable to leave them alone in the house by themselves; that she is in very straitened circumstances and in urgent need of relief.

LORETTA E. SMITH.

Subscribed and sworn to before me, a notary public in and for the District of Columbia, this 12th day of February, 1912.

[SEAL.]

JAMES M. WOOD,

Notary Public, District of Columbia.

OFFICE OF SUPERINTENDENT,
U. S. CAPITOL BUILDING AND GROUNDS,
Washington, D. C., April 3, 1912.

HON. EDWARD M. POU,

Chairman Committee on Claims, House of Representatives.

DEAR SIR: This is to certify that George H. Smith, who was killed September 8, 1909, while employed under this office during the construction of the heating, lighting and power plant, congressional buildings, as an ironworker, was receiving at the time of his death \$4 per diem.

Very respectfully,

ELLIOTT WOODS,

Superintendent U. S. Capitol Building and Grounds.

[H. R. 3784, Sixty-second Congress, first session.]

A BILL For the relief of Charles T. Hanson.

Be it enacted, etc., That the Secretary of the Treasury be, and he hereby is, authorized and directed to pay to Charles T. Hanson, of Boston, Massachusetts, out of any money in the Treasury not otherwise appropriated, the sum of one thousand five hundred dollars, and said sum is hereby appropriated as compensation for personal injuries suffered by said Hanson in the course of his duties as an employee of the War Department in the quartermaster department at Boston, Massachusetts.

Mr. Maguire, from the Committee on Claims, submitted the following report (to accompany H. R. 3784):

The Committee on Claims, to whom was referred the bill (H. R. 3784) for the relief of Charles T. Hanson, having considered the same, report thereon with a recommendation that it do pass with the following amendment:

In line 6 strike out the word "five" and insert in lieu thereof the words "fifteen hundred."

The War Department finds upon full investigation that on November 6, 1904, Charles T. Hanson, employed as a deck hand under quartermaster department at Boston, Mass., and while in line of duty, accidentally and through no fault of his received injuries to his right foot which necessitated an amputation of the same.

Letters from the War Department recommending favorable consideration of this claim are attached hereto and made a part of this report.

WAR DEPARTMENT,
OFFICE OF THE QUARTERMASTER GENERAL,
Washington, March 19, 1910.

THE SECRETARY OF WAR.

SIR: I have the honor to return herewith bill, H. R. 1162, Sixty-first Congress, first session, for the relief of Charles T. Hanson, appropriating the sum of \$5,000 as compensation for personal injuries received by him in line of his duties as an employee of the War Department in the Quartermaster's Department at Boston, Mass., referred

to the War Department by the chairman of the Committee on Claims, House of Representatives, requesting to be furnished all facts and information concerning the matter in possession of the War Department, and also an opinion touching the merits of the claim.

The depot quartermaster at Boston, Mass., in reply to a request of this office for information regarding the claim of Charles T. Hanson for compensation for injuries received, has furnished copies from correspondence on file in his office regarding the accident to Mr. Hanson, from which it appears that he was employed as a deckhand on the quartermaster's steamer *General Thomas S. Jesup*, and on November 6, 1904, while the steamer was making a landing at Fort Warren, Mass., he was in charge of the spring line from the deck of the steamer which was fastened on the dock and accidentally his right foot was caught in the main coil of the line and was so badly crushed against the bit as to require amputation of the foot. He was taken to the post hospital at Fort Warren, where he remained until in March, 1905, and on leaving the hospital was furnished by the Government with an artificial limb. On May 1, 1905, he was taken into the employ of the Government at the Boston depot at the rate of \$45 per month, and on March 15, 1907, was placed in the classified service as a laborer and his pay increased to \$60 per month, and is at present employed at that depot at the same rate of pay. His services are reported as being faithful.

As the injury to Mr. Hanson maims him for life and was caused by an accident while he was in the performance of his duties as an employee of the Quartermaster's Department, the accompanying bill for his relief seems but a just recompense for his injuries, and its favorable consideration is recommended.

Very respectfully,

J. B. ALESHIRE,
Quartermaster General, United States Army.

WAR DEPARTMENT, *March 24, 1910.*

Respectfully referred to the Judge Advocate General, for advice as to whether or not in his opinion Hanson was negligent, and whether or not the claim is meritorious.

By order of the Secretary of War:

JOHN C. SCOFIELD,
Assistant and Chief Clerk.

[Third indorsement.]

WAR DEPARTMENT,
OFFICE OF THE JUDGE ADVOCATE GENERAL,
Washington, D. C., March 28, 1910.

Respectfully returned to the Secretary of War.

It conclusively appears from the statement within that the injury sustained by the beneficiary of this proposed legislation, Charles T. Hanson, arose in the course of his employment and that the accident which was the cause of said injury was not due to negligence or misconduct on his part.

Had Hanson been employed as an artisan or laborer in any of the places or classes of work specified in the act of May 30, 1908 (compensation act for injuries sustained by employees), he would have been entitled to the benefits conferred by that act, which would have been limited to pay during the period of incapacity not exceeding one year. The provision of the within act carries a benefit of \$5,000 for the injury received, which is a much more generous provision than that made by the permanent law above cited. The claim is believed to be meritorious for a proper measure of relief, but it is believed the amount paid should be adjusted to the requirements of the permanent law.

GEO. B. DAVIS,
Judge Advocate General.

WAR DEPARTMENT, *March 28, 1910.*

Respectfully returned to Hon. George W. Prince, chairman of the Committee on Claims, House of Representatives, inviting attention to the inclosed report of the Quartermaster General, and concurring in the opinion of the Judge Advocate General of the Army expressed in the preceding indorsement hereon.

ROBERT SHAW OLIVER,
Acting Secretary of War.

[H. R. 17644, Sixty-second Congress, second session.]

A BILL For the relief of Emil Spongberg.

Be it enacted, etc., That the sum of seven hundred and thirty dollars is hereby appropriated, out of any money in the United States Treasury not otherwise appropriated, for payment to Emil Spongberg as compensation for the loss of his left leg, the result of an accident at the Brooklyn Navy Yard on October twelfth, nineteen hundred and three, while in discharge of duty, without fault on his part, being a sum equal to one year's pay at the compensation he was being paid at the time the accident occurred.

Mr. Maguire, from the Committee on Claims, submitted the following report (to accompany H. R. 17644):

The Committee on Claims, to whom was referred the bill (H. R. 17644) for the relief of Emil Spongberg, having considered the same, report thereon with a recommendation that it do pass with the following amendment:

Strike out, in line 3, the words "seven hundred and thirty" and insert in lieu thereof the words "one thousand five hundred."

On October 12, 1903, Emil Spongberg, while in line of duty as an employee of the United States in the Brooklyn Navy Yard, and through no fault or negligence on his part, lost his leg while at work hoisting steel plates. One of these heavy plates fell on his left leg just above the ankle, causing a compound fracture, after which accident his foot was amputated. He was at the time receiving \$730 per year, and your committee recommend that the bill do pass for the amount asked for, which amount is equivalent to one year's salary.

Letters from the Navy Department are attached hereto and made a part of this report.

NAVY DEPARTMENT,
Washington, June 24, 1910.

MY DEAR CONGRESSMAN: Referring further to the bill (H. R. 26682) "For the relief of Emil Spongberg," by payment to him of \$730 as compensation for the loss of his left leg by reason of an accident at the navy yard, Brooklyn, October 12, 1903, I have the honor to say that the records of the yard show that Spongberg, employed as a first-class laborer, "was injured about 3 p. m., October 12, 1903, while at work hoisting steel plates near Building 116. A heavy steel plate fell on his left leg, above the ankle, causing a compound fracture and badly crushing the leg. He was removed to the Brooklyn Hospital in the yard ambulance"; that the clamp of the crane by which the plate was being lifted had been screwed on the plate by Spongberg and another laborer, William J. Reynolds; that his foot was amputated, and he did not return to work until the 22d of December, after which date he lost considerable time, without pay, by reason of illness, pain, and discomfort, caused by his injury; that on February 17, 1906, he was reduced to laborer, second class, and that on October 16, 1907, he was rerated laborer, first class.

Spongberg's pay at the time of his injury was \$2 a day.

The department having in view the provisions of the act of May 30, 1908, providing for the compensation of employees of the Government for injuries sustained in the course of their employment, which does not apply, however, to cases of injury that occurred prior to the passage of the act, makes no recommendation in this case, preferring to leave to the judgment of the committee the question as to whether relief should be granted, and if so, to what extent.

Faithfully, yours,

BEEKMAN WINTHROP,
Acting Secretary.

HON. GEORGE W. PRINCE, M. C.,
Chairman Committee on Claims, House of Representatives.

H. Rept. 569, 62-2—3

NAVY DEPARTMENT,
Washington, January 3, 1906.

DEAR SIR: I am in receipt of your letter of the 28th ultimo. In reply, I regret to be compelled to say that I know of no way by which you could secure an artificial leg from the Government. There is no appropriation under the Navy Department from which such an expenditure could be met, and, so far as I know, there is no general legislation which would empower this department to authorize you to procure the appliance at Government expense. I am sorry that I am not able to do something for you, but lack of authorization prevents me from taking any action.

Very truly, yours,

CHARLES J. BONAPARTE, *Secretary*.

MR. EMIL SPANGBERG,
75 Steuben Street, Brooklyn, N. Y.

[H. R. 23394, Sixty-second Congress, second session.]

A BILL For the relief of D. M. Rowland.

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to D. M. Rowland, father of Robert Blaine Rowland, late a seaman of the United States Navy, who was killed while in the performance of his duty on January thirty-first, nineteen hundred and six, by being struck with a bullet from one of the Morris tube rifles on the United States ship *Cincinnati* while engaged in target practice in the Manila Harbor, Philippine Islands, the sum of one thousand dollars.

Mr. Maguire, from the Committee on Claims, submitted the following report (to accompany H. R. 23394):

The Committee on Claims, to whom was referred the bill (H. R. 23394) for the relief of D. M. Rowland, having considered the same, report thereon with a recommendation that it do pass with the following amendment:

In line 12 strike out the word "ten" and insert in lieu thereof the word "one."

Robert Blain Rowland, son of D. M. Rowland, was a seaman in the United States Navy, attached to the U. S. S. *Rainbow* until his death, on the morning of January 31, 1906. His death was caused by being struck in the head with a .22-caliber bullet fired from a Morris tube gun on the U. S. S. *Cincinnati*, which was engaged in target practice at Cavite, P. I. The responsibility for his death was due to the faulty system of target practice followed on board the U. S. S. *Cincinnati*, in which no bullet catcher was used, and no one was stationed to keep the range clear.

The report of the Navy Department is attached hereto and made a part of this report.

DEPARTMENT OF THE NAVY,
OFFICE OF THE SECRETARY,
Washington, March 21, 1910.

MY DEAR CONGRESSMAN: Referring to your communication dated March 9, 1910, transmitting a bill (H. R. 707) for the relief of D. M. Rowland, requesting that the committee be furnished with all facts and information concerning the matter in the possession of this department, I have the honor to inform you Robert Blaine Rowland, mentioned in the preamble and body of the bill, was a seaman in the United States Navy, attached to the U. S. S. *Rainbow*, and met his death on the morning of January 31, 1906, while in the steam launch of that vessel, lying off the U. S. S. *Cincinnati*, by being struck in the head by a .22-caliber bullet fired from the latter vessel, which was then engaged at gun practice.

A board of inquest, convened on the same day, under the provisions of the Navy Regulations, stated as follows:

"The board believes that the responsibility for the death of the deceased is primarily due to the faulty system of target practice followed on board the U. S. S. *Cin-*

cinnati, in which no bullet catchers are used, and in which no one is stationed whose sole duty is to see the range clear, and, secondarily, to an error of judgment as to the distance from the line of fire which was sufficient to afford proper safety to the *Rainbow's* launch * * *"

A court of inquiry, ordered by the commander in chief, United States Asiatic Fleet, to inquire into the death of Rowland, met at Cavite on February 5, 1906. The court of inquiry submitted the following:

"FINDING.

"The court finds that the following facts are established by the evidence, namely: That the late Robert Blaine Rowland, seaman, United States Navy, attached to the U. S. S. *Rainbow* and serving on the steam barge belonging to that vessel, was killed on the morning of the 31st day of January, 1906, by a .22 caliber short bullet fired from a Morris tube gun attached to one of the following guns of the starboard battery of the U. S. S. *Cincinnati*, viz, 5-inch Nos. 3 and 7 and 6-pounders Nos. 5 and 7, which one, the court is unable to determine; that no bullet catchers were used on these guns of the U. S. S. *Cincinnati* on the morning of January 31, 1906; that no bullet catchers have been used on board that vessel within the recollection of any officer now serving on board and certainly not within the past 20 months; that while conducting Morris tube practice on board the U. S. S. *Cincinnati* efficient lookouts were stationed at all the guns.

"OPINION.

"The court is of the opinion that Commander J. M. Robinson, United States Navy, commanding the U. S. S. *Cincinnati*, was guilty of an error of judgment in not insisting that bullet catchers be placed on the guns in a harbor frequented as much as is Cavite, and that Lieut. J. F. Hines, United States Navy, the ordnance officer of the U. S. S. *Cincinnati*, failed in his duty when he neglected to put bullet catchers on the guns of that vessel, notwithstanding the fact that the installation of bullet catchers was not considered necessary by previous commanding and ordnance officers of that vessel.

"The court is also of the opinion that further proceedings are unnecessary, but that Commander J. M. Robinson, United States Navy, commanding the U. S. S. *Cincinnati*, and Lieut. J. F. Hines, United States Navy, the ordnance officer of that vessel, should be admonished for their neglect to take proper precautions while conducting Morris tube gun practice in a frequented harbor."

The commander in chief, United States Asiatic Fleet, indorsed upon the record the following:

"The findings and opinion of the court of inquiry, convened for the purpose of inquiring into the circumstances attending the death of Robert Blaine Rowland, seaman, United States Navy, are approved.

"The commander in chief considers, however, that to admonish two officers, whose gross carelessness, as well as neglect of duty and disobedience of the regulations, resulted in the death of one of the best young men of the fleet, is not treating the matter with the serious importance it deserves, and private letters of reprimand will be sent to Commander J. M. Robinson, United States Navy, and Lieut. J. F. Hines, United States Navy."

In view of the foregoing facts on May 25, 1906, the department requested an opinion of the Attorney General as to whether a private reprimand, administered by the commander in chief of a fleet as a punishment for such an offense as neglect of duty, was a bar to subsequent trial by general court-martial for the same offense, this question having previously been a matter of some doubt.

On June 15, 1906, the Attorney General rendered his opinion upon the question above presented and concluded by saying, "Under the circumstances I am of opinion that the officers in question may be subjected to trial by court-martial, and I have the honor to advise you accordingly."

On June 19, 1906, the department directed the commander in chief, United States Asiatic Fleet, to bring Commander Robinson and Lieut. Hines to trial by general court-martial, as well as such other persons, if any, as may have been culpable in the case, for culpable inefficiency and neglect of duty, as set forth in the findings of the court of inquiry.

The charges and specifications against Commander Robinson were as follows:

"CHARGE I.

"CULPABLE INEFFICIENCY IN THE PERFORMANCE OF DUTY.

"Specification 1.

"In that the said John M. Robinson, a commander in the United States Navy, being in command of the U. S. S. *Cincinnati*, at Cavite, P. I., having caused Morris tube rifles to be fitted to 5-inch rapid-fire guns Nos. 3 and 7, and to 6-pounder rapid-fire guns

Nos. 5 and 7, of the battery of the said ship *Cincinnati*, did, on or about the 31st day of January, 1906, neglect and fail to cause bullet catchers to be attached to the said guns, he well knowing that the attachment of bullet catchers was necessary for safely conducting Morris tube practice, and the said commander John M. Robinson, United States Navy, was therein and thereby culpably inefficient in the performance of duty; in consequence of which culpable inefficiency on the part of the said Commander John M. Robinson, United States Navy, a bullet from one of the Morris tube rifles of the said battery struck Robert B. Rowland, seaman, United States Navy, a member of the crew of the steam barge belonging to the U. S. S. *Rainbow*, in the head, said bullet inflicting a wound from the effects of which the said Robert B. Rowland, seaman, United States Navy, died about one hour later.

“CHARGE II.

“NEGLECT OF DUTY.

“Specification 1.

“In that the said John M. Robinson, a commander in the United States Navy, being in command of the U. S. S. *Cincinnati*, at Cavite, P. I., on or about the 31st day of January, 1906, did fail to cause bullet catchers to be attached to the guns used for drill with the Morris tube rifles on board the said ship *Cincinnati*, he well knowing that the attachment of bullet catchers was necessary for safely conducting Morris tube practice; and that the said Commander John M. Robinson, United States Navy, did thereby neglect his duty as commanding officer of the said ship *Cincinnati*.”

The charges and specifications against Lieut. Hines were similar to those above shown, preferred against Commander Robinson, with the exception of such modifications as were necessary on account of the fact that the former was the ordnance officer and the latter the commanding officer of the U. S. S. *Cincinnati*.

The court-martial was composed of the following named officers: Capt. C. H. Arnold, United States Navy, president; Capt. R. R. Ingersoll, United States Navy; Capt. T. C. McLean, United States Navy; Col. W. P. Biddle, United States Marine Corps; Capt. S. A. Staunton, United States Navy; and Commander J. M. Helm, United States Navy, members; and Capt. H. R. Lay, United States Marine Corps, judge advocate.

The court found both accused officers not guilty of the charges and specifications, and fully acquitted them.

Inasmuch as the two officers tried were, if any, primarily responsible for the conduct of target practice on board the ship to which they were attached, and as they were acquitted by a lawfully constituted court composed of officers of high rank, probity, and attainments, under oath well and truly to try, without prejudice or partiality, the then depending case according to the evidence before the court, the rules for the government of the Navy and their own consciences, it appears to the department that this judicial determination properly warrants the elimination of the second clause of the preamble from the bill.

The attention of the committee is invited to the following facts: That deaths by accident in the Navy, while perhaps not relatively numerous, are nevertheless not infrequent; that the amount paid to persons in the Navy who die in line of duty, under the act of May 13, 1908, is equal to six months' pay; that the amount paid to the dependents of certain employees of the Government under section 2 of the act of May 30, 1908, is one year's pay; that, so far as is known, the decedent did not allot over \$15 of his pay per month; that the amount appropriated by the bill, if at interest at 4 per cent would yield a return considerably larger than the entire annual pay of the decedent.

The department, however, has no objection to the measure in its present form except, as before indicated, to the second clause of the preamble, nor as to the amount appropriated should the committee not deem it excessive.

Faithfully, yours,

BEEKMAN WINTHROP,
Acting Secretary of the Navy.

The CHAIRMAN COMMITTEE ON CLAIMS,
House of Representatives.

[H. R. 4601, Sixty-second Congress, first session.]

A BILL For the relief of Severin Hartman.

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated,

to Severin Hartman, who was permanently disabled while engaged in the employment of the United States Government at Rock Island Arsenal, in the State of Illinois, on or about February sixteenth, nineteen hundred and five, the sum of fifteen thousand dollars.

Mr. Maguire, from the Committee on Claims, submitted the following report (to accompany H. R. 4601):

The Committee on Claims, to whom was referred the bill (H. R. 4601) for the relief of Severin Hartman, having considered the same, report thereon with a recommendation that it do pass with the following amendment:

In line 9 strike out the word "one thousand" and insert in lieu thereof the word "hundred."

The findings of the several officers of the War Department located at Rock Island Arsenal at Rock Island, Ill., show that Severin Hartman was employed in the carpenter shop at the arsenal on February 15, 1905, and while in the line of duty and through no fault of his was struck by a piece of one of the knives about 8 inches long. The following facts were found: A molding machine was being operated about 85 feet from said Hartman at a very high rate of speed; one of the knives became detached and was thrown with a terrific force across the room, completely severing Hartman's left arm midway between the wrist and elbow.

This claim was favorably reported in the Sixty-first Congress, second session, and said report is attached hereto and made a part of this report.

SEVERIN HARTMANN.

To the Senate and House of Representatives in Congress assembled:

Petitioner respectfully states that he is and has been for about six years last past an employee of the United States in the Ordnance Department, being in a carpenter shop on Rock Island Arsenal; that on or about the 16th day of February, 1905, while at work in said shop, this petitioner lost his hand, the same being struck by a knife breaking from a molding machine 86 feet distant, this petitioner having in no way contributed to said accident, nor being in any way responsible for the same; that this petitioner was at the time of said accident 42 years of age; that this petitioner was at that time earning \$1.75 per day, and would within a year have been earning \$2.50 a day at said work; that petitioner is now kept in the employ of the United States on said arsenal, being given said work as he can perform; that if this petitioner should be left out of employment by the United States he would be unable to earn the wages of even an ordinary laborer.

Wherefore petitioner prays that he be allowed damages in the sum of \$15,000. Affidavits in proof of these allegations are attached.

SEVERIN HARTMANN.

ROCK ISLAND ARSENAL,
Rock Island, Ill., February 16, 1905.

The COMMANDING OFFICER,
Rock Island Arsenal, Ill.

SIR: Severin Hartmann, jr., was injured in carpenter shop just before noon to-day. The man was brought to the hospital on a stretcher at about 12.15 p. m. It was stated to me that he had received his injury from a flying blade of another machine from the one he was working at, situated at quite a distance from him. I found that the lower two-thirds of left forearm had been completely severed. I amputated sufficient stump to secure flap, after which he was removed to a hospital in Davenport, Iowa.

Very respectfully,

G. G. CRAIG,
Contract Surgeon, U. S. Army.

ROCK ISLAND ARSENAL,
Rock Island, Ill., February 17, 1905.

The CHIEF OF ORDNANCE, U. S. ARMY,
Washington, D. C.

SIR: I inclose herewith report submitted to me by Capt. C. C. Jamieson, in charge of the carpenter shop, and by contract Surg. G. G. Craig, with reference to an accident that occurred in the carpenter shop at this arsenal on the 16th instant, and to the injury received by one of the employees, Severin Hartmann, jr.

I have investigated as far as possible into the circumstances attending this accident and resulting injury and can only confirm the statements made in the inclosed reports.

I have carefully examined the machine—a Rowley & Hermance molding machine—and would report that, apart from its recent injury, it is in first-class condition in all respects. The machine was purchased in January, 1899, is of modern design and model, and has been run without accident or incident from time to time since receipt at this arsenal.

At the time of the accident the contract surgeon was visiting a patient at the arsenal, was at once sent for, and reached the post hospital very shortly after the injured man had been removed there.

Respectfully,

S. E. BLUNT,
Lieut. Col. Ord. Dept., U. S. Army, Commanding.

[First Indorsement.]

OFFICE OF THE CHIEF OF ORDNANCE,
Washington, February 21, 1905.

Respectfully returned to the commanding officer of Rock Island Arsenal, with inquiry whether there is any evidence that the operator, in tightening the bolts holding the knife of the molding machine, as stated in his report herewith (inclosure 3), overstrained the bolts by drawing them up too tightly.

WILLIAM CROZIER,
Brig. Gen., Chief of Ordnance.

[Second Indorsement.]

ROCK ISLAND ARSENAL, ILL.,
March 1, 1905.

Respectfully returned to the Chief of Ordnance, U. S. Army.

The man who put in the knives and was running the machine at the time of the accident is an experienced hand, who has run this machine whenever it has been used during the past year. Careful inquiry develops no evidence to show that the bolts were overstrained in tightening in this case.

The vibrations due to the high speed at which this machine is constantly run results in the metal of the bolts becoming crystalline in structure, and they are changed at intervals to prevent accidents, though in spite of all precautions one occasionally breaks and flies out when the machine is running.

J. W. BENET,
Major, Ord. Dept., U. S. Army, Commanding.

ROCK ISLAND ARSENAL,
Rock Island, Ill., February 17, 1905.

Capt. C. C. JAMIESON,
In Charge of Carpenter Shop.

SIR: I have the honor to report that I was running a shaper between the 12-inch molding machine and the shaper which was being run by Severin Hartmann. About 11.50 a. m. I felt something brush my right arm, and almost immediately after Hartmann came toward me, holding the stump of his left arm in his right hand and asked me to help him into the office or to the hospital. Upon examination I found that the knife of the machine which had cut off Hartmann's arm had torn through my blouse and shirt and scratched the skin of my right arm just below the shoulder.

Very respectfully,

MICHAEL REID.

ROCK ISLAND ARSENAL,
Rock Island, Ill., February 17, 1905.

Capt. C. C. JAMIESON,
In Charge of Carpenter Shop.

SIR: I have the honor to state that on the afternoon of February 15 I put a new set of knives in the 12-inch molding machine, and ran the machine about half an hour on oak stock for quarters No. 6.

On February 16, about 11.45 a. m., I set up the bolts on the boxes of this machine and started it up to see whether it ran true. It had been running just about long enough to reach full speed when one of the knives broke off and flew out, cutting off the arm of Severin Hartmann, as I afterwards learned.

I have been employed since March 30, 1904, in the carpenter shop, and have run this machine whenever there was any work for it since that time.

Very respectfully,

ARTHUR C. BREITER.

ROCK ISLAND ARSENAL,
Rock Island, Ill., February 17, 1905.

The COMMANDING OFFICER,
Rock Island Arsenal.

SIR: I have the honor to report that about 11.50 a. m., February 16, the bolts holding one of the knives of a 12-inch molding machine broke and a piece of one of the knives about 8 inches in length flew across the shop and completely severed the left arm of Severin Hartmann about midway between the wrist and elbow. Hartmann was shaping cantles on a machine 85 feet away from the molding machine, and the knife which struck him passed over the head of Emil Gerdtz and cut through the coat and shirt of Michael Reid, who were at work between the molding machine and the one being run by Hartmann.

The molding machine was being run by Arthur C. Breiter, an experienced and competent machine hand, who has run this machine since his employment at this arsenal, March 30, 1904. He states that on the afternoon of February 15 he put in a set of new knives and ran the machine about half an hour on oak stock. On the 16th he had some more stock to run out, and about 11.45 tightened up the bolts on the boxes of the machine and then started it up to see whether it ran true. The machine had just reached full speed when the knife flew out, striking Hartmann as above described.

The molding machine and all other machines in the shop are provided with guards to minimize danger as much as possible, and I am convinced that all possible precautions are constantly observed.

Very respectfully,

CHAS. C. JAMIESON,
Capt., Ord. Dept., U. S. Army.

[H. R. 21255, Sixty-second Congress, second session.]

A BILL For the relief of E. J. Older.

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to E. J. Older, of Viroqua, Wisconsin, in compensation for personal injuries received on the twenty-third day of April, nineteen hundred and seven, while in the employ of the Government at Lamoille, Minnesota, the sum of four hundred and thirty-eight dollars.

Mr. Maguire, from the Committee on Claims, submitted the following report (to accompany H. R. 21255):

The Committee on Claims, to whom was referred the bill (H. R. 21255) for the relief of E. J. Older, having considered the same, report thereon with a recommendation that it do pass with the following amendment:

In line 9 strike out the words "five thousand" and insert in lieu thereof the words "four hundred and thirty-eight."

E. J. Older was employed in a rock quarry at Lamoille, Minn., operated by the United States in connection with the work of improving the Mississippi River. On April 23, 1907, he and other men were called to adjust a cableway used in transferring rock from the quarry to barges in the river. While at work a new manila rope, holding the main cable, suddenly broke, throwing a strain of great force back on the cable the men were working on, striking and throwing many of them to the ground. Mr. Older was one of the men injured, his left

knee being dislocated and badly strained. He was taken to the general hospital at Winona, Minn., for treatment. His recovery was slow, and he returned to his home about the middle of June, 1907.

The accident was caused without fault on the part of either Mr. Older or his fellow workmen. His wages for the year prior to the injury received by him were \$438. His claim has the approval of the War Department for this amount, and in the opinion of your committee, based upon the general liability act of 1908, he is entitled to one year's wages, viz, \$438.

This claim received a favorable report in the Sixty-first Congress, second session, and a part of that report is attached hereto and made a part of this report.

A BILL For the relief of E. J. Older.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to E. J. Older, of Viroqua, Wisconsin, in compensation for personal injuries received on the twenty-third day of April, nineteen hundred and seven, while in the employ of the Government at Lamoille, Minnesota, the sum of four hundred and thirty-eight dollars.

WAR DEPARTMENT, May 6, 1910.

Respectfully referred to the Judge Advocate General for report as to whether or not, in his opinion, the claim is meritorious.

By order of the Secretary of War:

JOHN C. SCOFIELD,
Assistant and Chief Clerk.

[Fourth indorsement.]

WAR DEPARTMENT,
OFFICE OF THE JUDGE ADVOCATE GENERAL,
Washington, D. C., May 9, 1910.

Respectfully returned to the Secretary of War.

It clearly appears from the accompanying report of the Acting Chief of Engineers, dated May 5, 1910, that the injury sustained by the beneficiary of the proposed legislation, E. J. Older, arose in the course of his employment and was the result of pure accident, and was not caused by any negligence or misconduct on his part.

Had E. J. Older been employed as an artisan or laborer in any of the places or classes of work specified in the act of May 30, 1908 (compensation act for injuries sustained by employees), he would have been entitled to the benefits conferred by that act, which would have been limited to pay during the period of incapacity, not exceeding one year. The provision of the within bill (H. R. 20440, 61st Cong., 2d sess.) carries a benefit of \$5,000 for the injury received, which is a much more generous provision than that made by the permanent law above cited. According to that law he should receive his wages lost during the year subsequent to the injury, which is stated to be \$438. I concur in the view of the Acting Chief of Engineers that the claim is a meritorious one for a proper measure of relief, which should be adjusted to the requirements of the permanent law, and that the bill should be amended by changing the amount to \$438.

GEORGE B. DAVIS,
Judge Advocate General,

WAR DEPARTMENT, May 10, 1910.

Respectfully returned to Hon. George W. Prince, chairman of the Committee on Claims, House of Representatives, inviting attention to the inclosed report of the Acting Chief of Engineers, and concurring in the opinion therein expressed, and in that of the Judge Advocate General of the Army in the preceding indorsement hereon.

J. M. DICKINSON,
Secretary of War.

[H. R. 18535, Sixty-second Congress, second session.]

A BILL For the relief of Annie T. Jackson.

¶ *Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Annie T. Jackson, of New Hanover County, North Carolina, widow of Frank W. Jackson, who, while in the discharge of his duty as fireman and in the employ of the United States Government on board the steam tug *Cynthia*, on the eighth day of May, nineteen hundred and three, was killed by the explosion of the boiler on said steam tug *Cynthia*, the sum of fifteen thousand dollars.

Mr. DICKINSON, from the Committee on Claims, submitted the following report (to accompany H. R. 18535):

The Committee on Claims, to whom was referred the bill (H. R. 18535) for the relief of Annie T. Jackson, having considered the same, report thereon with a recommendation that it do pass with the following amendment:

In line 10 strike out the words "fifteen thousand" and insert in lieu thereof the words "four hundred and twenty."

¶ Your committee, to whom was referred H. R. 18535, a bill for the relief of Annie T. Jackson, finds that Annie T. Jackson is a resident of New Hanover County, N. C., and the widow of Frank W. Jackson, who, while in the discharge of his duty as fireman and in the employ of the United States Government, on board the steam tug *Cynthia*, on the 8th day of May, 1903, was killed by the explosion of the boiler on said steam tug. It appears from the report of the Judge Advocate General that the injury was not due to any misconduct or negligence on the part of the deceased, and that had the act of May 30, 1908, providing compensation for injuries received by certain employees been in force at the time of the above accident, his widow would have been entitled to one year's pay, amounting to \$420, and your committee deems the claim meritorious and recommends that the bill for \$420 be approved.

[H. R. 18290, Sixty-second Congress, second session.]

A BILL For the relief of C. H. Ingraham.

Be it enacted, etc., That the Secretary of the Treasury be, and is hereby, authorized and directed to pay C. H. Ingraham, of Popham Beach, Maine, the sum of five thousand dollars, which sum shall be in full payment and satisfaction of the said C. H. Ingraham's claim for damages to property at Fort Baldwin, Maine, caused by heavy gun firing, said sum being the amount agreed upon by the board of United States Army officers directed by the Quartermaster General of the Army to determine the damage done to the property of said C. H. Ingraham by heavy gun firing at Fort Baldwin, Maine.

Mr. Jefferson M. Levy, from the Committee on Claims, submitted the following report (to accompany H. R. 18290):

The Committee on Claims, to whom was referred the bill (H. R. 18290) for the relief of C. H. Ingraham, of Popham Beach, Me., in the sum of \$5,000, for damage to his property by heavy gun firing at Fort Baldwin, Me., having considered the same, report thereon with a recommendation that it do pass.

This claim was originally and verbally made for the sum of \$25,000 to the board of officers appointed to investigate and ascertain the amount of damages suffered by said C. H. Ingraham by reason of heavy gun firing at Fort Baldwin, Me. The board appointed to make this investigation, after a careful and thorough examination

of the property, recommend an allowance in the sum of \$5,000, in full compensation of all damages sustained by said C. H. Ingraham by reason of said heavy gun firing. This amount Mr. Ingraham agreed to accept in full compensation and settlement of his claim, and the amount was included in a letter from the Secretary of the Treasury, transmitting estimates of appropriations required for the service of the fiscal year ending June 30, 1913. Later the Acting Secretary of War addressed a letter to the Hon. Champ Clark, Speaker of the House of Representatives, asking that certain classes of claims submitted by him in the Book of Estimates be transferred from the Committee on Military Affairs to the Committee on Claims. This claim was provided for in the estimates submitted and so transferred.

The letters and communications are made a part of this report.

WAR DEPARTMENT,
OFFICE OF THE QUARTERMASTER GENERAL,
Washington, May 3, 1910.

MR. C. H. INGRAHAM,
Popham Beach, Me.

SIR: Referring to your letter of the 27th ultimo, stating that you have decided to accept the award of \$5,000 made by the board of officers for damage to your property by heavy-gun firing at Fort Baldwin, Me., you are respectfully informed, by direction of the Quartermaster General, that the Secretary of War has authorized the preparation of an estimate to be submitted to Congress for an appropriation to pay the amount awarded to you and to such other claimants for damages incurred to their property as have accepted the amounts awarded to them by the boards of officers.

The estimate will be submitted to Congress at its present session, and if an appropriation is made to pay the claims prompt action will be taken to pay you the amount awarded.

Respectfully,

E. H. HUMPHREY,
Captain Seventh U. S. Cavalry.

[First indorsement.]

WAR DEPARTMENT,
OFFICE OF THE QUARTERMASTER GENERAL,
Washington, July 26, 1910.

Respectfully returned, by direction of the Quartermaster General, to Mr. C. H. Ingraham, Popham Beach, Me.

This office and the War Department has done all that is possible to secure funds for settlement of the within mentioned claim in submitting an estimate to Congress for an appropriation to pay it and the many others of similar nature pending in this office. Payment can not be made until funds are provided by Congress.

It is suggested that if the persons having claims of this nature awaiting action in Congress would call the attention of their Representative in Congress to the matter it might result in securing his interest in their behalf and efforts to secure action thereon when Congress again assembles.

C. F. HUMPHREY, JR.,
Captain and Quartermaster, U. S. Army.

POPHAM BEACH, ME., *July 9, 1910.*

E. H. HUMPHREY,
Captain, Seventh United States Cavalry,
Washington, D. C.

SIR: Referring to your letter of May 3, last, stating prompt action would be taken to pay me the amount of award allowed by the board of officers for damages done to my property by heavy gun firing at Fort Baldwin, Me., in August, 1909, I respectfully ask for information relative to the payment thereof.

Respectfully,

C. H. INGRAHAM.

[First indorsement.]

WAR DEPARTMENT,
OFFICE OF THE QUARTERMASTER GENERAL,
Washington, July 14, 1910.

Respectfully returned, by direction of the Quartermaster General, to Mr. C. H. Ingraham, Popham Beach, Me., who was advised by letter of this office of May 3, 1910, that an estimate for the amount of his claim, within referred to, would be submitted to Congress, "and if an appropriation is made to pay the claim, prompt action will be taken to pay you the amount awarded."

The estimate was submitted, but Congress failed to make an appropriation to pay any of the claims for damages included therein, and until Congress does make an appropriation for the purpose, no settlement of the claim can be made.

E. H. HUMPHREY,
Captain, Seventh United States Cavalry,

WAR DEPARTMENT,
OFFICE OF THE QUARTERMASTER GENERAL,
Washington, April 5, 1910.

Mr. C. H. INGRAHAM,
Popham Beach, Me.

SIR: You are respectfully informed, by direction of the Quartermaster General, that a report of a board of officers appointed to investigate and ascertain the damage to your house by heavy gun firing at Fort Baldwin, Me., has been received in this office, in which it is stated that you verbally claim the sum of \$25,000 for the damages sustained to your property.

The board, after careful and thorough examination of your property, recommend an allowance of \$5,000 to you in full compensation for the damages sustained. You are requested to inform this office in writing whether or not you will accept the sum of \$5,000 in full compensation for the damages to your property.

You are advised that there are no funds under the control of the War Department applicable to the payment of claims for damages. Congress alone can grant relief in the case.

Upon receipt of advice from you that you will accept the amount awarded by the board in full compensation for the damages incurred to your property, it will be included in the next estimate submitted by this office to the Secretary of War for submission to Congress for an appropriation to pay the claim.

Your prompt reply is requested.

Respectfully,

E. H. HUMPHREY,
Captain, Seventh United States Cavalry.

WAR DEPARTMENT,
OFFICE OF THE QUARTERMASTER GENERAL,
Washington, May 5, 1911.

Hon. E. W. TOWNSEND, M. C.,
House of Representatives, Washington, D. C.

MY DEAR SIR: In reply to your letter of the 3d instant, received in this office on the 4th instant, requesting information regarding the claim of Charles H. Ingraham, of Popham Beach, Me., for compensation for damages to his property by heavy-gun firing at Fort Baldwin, Me., I have the honor to inform you that the claim of Mr. C. H. Ingraham is one of many claims for damages on file in this office which have been included in the estimates submitted to Congress for an appropriation for their payment during the past several years. This class of claims now on file numbers 203 and amounts in the aggregate to the sum of \$25,615.54.

The claim of Mr. Ingraham is stated for damages to his house at Popham Beach, Me., by heavy-gun firing at Fort Baldwin, Me., in August, 1909, \$5,000. The amount originally claimed by him was \$25,000, but upon an investigation of the claim by a board of officers, assisted by an expert superintendent of construction in the employ of the Quartermaster's Department, he was awarded the sum of \$5,000, which amount he has in writing signified his willingness to accept in full settlement of his claim. That amount was included in an estimate submitted to Congress in May, 1910, published in House Document No. 897, Sixty-first Congress, second session, and was also included in the estimates submitted to the Sixty-first Congress, third session. Congress having failed to make provision for payment of any of these claims, they will be

included in the next estimate prepared in this office for submission to the War Department for an appropriation by Congress for their payment.

The claim of Mr. Ingraham is one of several other similar claims of citizens of Maine for compensation for damages incurred by heavy-gun firing at Fort Preble and Fort Baldwin, Me., which are included in the estimates submitted to Congress above referred to. They are all for smaller amounts than claimed by Mr. Ingraham, but the claimants are doubtless equally desirous of final settlement of their claims.

Referring to the inquiry if it is the purpose of the War Department to submit such claims on file to the Committee on Claims for consideration, I have to say that this matter has been submitted to the Secretary of War inviting attention to your inquiry.

Any specific data required by you in connection with these claims will be promptly furnished upon receipt of your request therefor.

Very respectfully,

J. B. ALESHIRE,
Quartermaster General, U. S. Army.

[House Document No. 1242, Sixty-first Congress, third session.]

TREASURY DEPARTMENT,
Washington, December 31, 1910.

SIR: I have the honor to transmit herewith, for the consideration of Congress, copy of a communication of the Secretary of War, of the 30th instant, submitting a supplemental estimate of appropriation of \$22,802.40 for the settlement of 183 claims for damage to and loss of private property belonging to citizens of the United States, Hawaii, and the Philippine Islands, due to heavy-gun firing, target practice, maneuvers, etc., and an estimate of appropriation in the sum of \$5,000 to provide for the prompt payment of like claims that may accrue from time to time.

The Secretary of War states the necessity for the submission of these estimates at this time, and the reasons why they were not included in his annual estimates submitted to the Congress.

Respectfully,

FRANKLIN MACVEAGH,
Secretary.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

WAR DEPARTMENT,
Washington, December 30, 1910.

SIR: I have the honor to forward herewith for transmission to Congress a supplemental estimate of an appropriation of \$22,802.40, required by the War Department for the service of the fiscal year ending June 30, 1912, for the settlement of 183 claims for damage to and loss of private property belonging to citizens of the United States, Hawaii, and the Philippine Islands, due to heavy-gun firing, target practice, maneuvers, etc., and an estimate of \$5,000 to provide for the prompt payment of like claims that accrue from time to time.

The submission of these estimates is deemed necessary in order to secure an appropriation for the early settlement of the claims above referred to, 153 of which were included in estimates submitted to the Sixty-first Congress, second session (H. Doc. Nos. 177, 519, 689, and 897), and no action had thereon, and to provide for the future settlement of claims of this character arising as a result of target practice with heavy guns promptly and without the delay incident to an annual estimate and appropriation.

These estimates are not included in the annual estimates of the department submitted to the Treasury Department on October 15 last, as required by law, for the reason that the matter of these claims was not brought to my attention until late in November.

The President has approved the submission of these estimates, as shown by his notation on the estimate proper.

Very respectfully,

J. M. DICKINSON,
Secretary of War.

The SECRETARY OF THE TREASURY.

Estimates of appropriations required for the service of the fiscal year ending June 30, 1912, by the Quartermaster's Department, United States Army.

WAR DEPARTMENT.

QUARTERMASTER'S DEPARTMENT.

Claims for damages to and loss of private property—

For settlement of claims for damages to and loss of private property belonging to citizens of the United States, Hawaii, and the Philippine Islands that have arisen previous to August 1, 1910. (Act of May 30, 1908, vol. 35, p. 280, sec. 1.)..... \$22, 802. 40

NOTE.—The stated amount of \$22,802.40 is asked for in order to render practicable the settlement of 183 claims now on file in this office and presented previous to August 1, 1910.

These claims embrace damages due to heavy-gun firing, and during target practice, damages to fences and growing crops and to trees by troops while engaged in maneuvers, etc. Of the amount now estimated for, more than one-half is attributable to heavy-gun firing at Forts Hamilton, N. Y.; Heath, Mass.; Levett, Me.; Banks, Mass.; Wadsworth, N. Y.; Revere, Mass.; Moultrie, S. C.; Winthrop, Mass.; and Miley, Cal. Estimates of appropriation covering 153 of these claims and aggregating \$19,033.14 were submitted to Congress at its last session, as shown by House Documents Nos. 177, 519, 689, and 897, Sixty-first Congress, second session, but they failed to receive favorable consideration.

Authority of the Secretary of War for the submission of an estimate to include the claims previously estimated for, as well as those since received in this office, was not received in time to render practicable the submission of this estimate with those for the fiscal year 1912. (*J. B. Aleshire, Quartermaster General, United States Army.*)

For payment of claims for damages to and loss of private property incident to the training, practice, and operations of the Army that may accrue from time to time, to be immediately available and to remain available until expended: *Provided*, That settlement of such claims shall be made by the Auditor for the War Department, upon the approval and recommendation of the Secretary of War, where the amount of damages has been ascertained by the War Department, and payment thereof will be accepted by the owners of the property in full satisfaction of such damages (submitted) 5, 000. 00

Approved.

WM. H. TAFT.

NOTE.—In connection with the foregoing estimates attention is invited to page 36 of the Annual Report of the Secretary of War for the fiscal year 1910, reading as follows:

"It happens every year in the service of the Army that claims arise against the War Department for damage done to private property. These claims may naturally be grouped into three classes: (1) Those which are bound to arise every year, (2) those which arise at less frequent intervals, and (3) those whose occurrences are occasional and can not be foreseen. Of the first class is damage done by the firing of the heavy guns of our seacoast defenses. Every year when target practice takes place in some localities it is unavoidable that window glass will be shattered and plastering knocked down in houses belonging to citizens in the vicinity. Sometimes window and door frames and doors are thrown out of plumb by the concussion. It has been the custom to have claims for such damages immediately investigated and the actual amount of damage determined and reported upon by a board of competent officers, and the conclusions of the department, based upon those reports, are submitted to Congress with recommendation for settlement of the claims. It generally happens, however, that several years elapse before an appropriation is made, so that in addition to the annoyance and inconvenience caused by the firing of the guns citizens whose property is damaged are compelled to submit to delay in reimbursement for the damage inflicted. Every year the War Department is importuned to do away with target practice with the big guns at various places on the ground of injury done to private property. As a rule requests of this kind must, of course, be denied, practice with the guns being essential to the maintenance of the efficiency of the Coast Artillery.

"Every effort is made by the department to reduce to the minimum the discomfort caused to citizens by the heavy firing. In line with this effort it is desirable that at least in those cases where it is known that damage will be inflicted annually, provision should be made by Congress for the prompt reimbursement of the damages to private property as ascertained by boards of Army officers appointed for the purpose, their reports to be subject to approval by the Secretary of War. Such a course was authorized by the act of April 23, 1904 (33 Stat., 265), making provision for joint Army and Militia encampments, maneuvers, and field instruction, which worked well and avoided much of the dissatisfaction caused to citizens in previous encampments and maneuvers. This provision reads as follows:

"* * * For purchase of supplies for the Quartermaster's and Ordnance Departments, including regular supplies, incidental expenses, barracks and quarters, transportation of the militia and its supplies, clothing and equipage, leases of land, and damages of property, six hundred thousand dollars."

"It is hoped that some adequate legislation of a similar character may be made for the claims above indicated. At the present time there are 150 cases, amounting to \$18,558.14, which have been investigated by this department and recommended to Congress for settlement. They are published in House Document No. 177, Sixty-first Congress, second session; House Document No. 519, Sixty-first Congress, second session; and House Document No. 897, Sixty-first Congress, second session. They are all for damages incident to the training, practice, and operations of the Army—most of them for damage caused by the firing of heavy guns. Some of them have been before Congress since December, 1908, and no provision has yet been made for the payment of any of them. There are several additional claims now pending in the department which have been investigated and will be reported to Congress at the present session. The claimants in all these cases have been advised from time to time of the status of their claims, and that settlement awaits an appropriation by Congress. Naturally, however, they look to the War Department to expedite the matter as being immediately responsible for the damage. In submitting the report above referred to, I feel that it is incumbent upon me to submit an estimate for an amount large enough to cover the payment of all such claims as remain unpaid, where the amount of damages has been ascertained by the War Department and payment thereof will be accepted by the owners of the property in full satisfaction of such damages, and also to suggest a small additional appropriation sufficient for the ensuing fiscal year."

[House Document No. 414, Sixty-second Congress, second session.]

WAR DEPARTMENT,
Washington, December 27, 1911.

HON. CHAMP CLARK,
Speaker of House of Representatives, Washington, D. C.

SIR: I have the honor to request that the following estimates (fiscal year 1913) for claims submitted by this office, viz, claims for damages to and loss of private property, indemnity to Indian claimants and others, reimbursements to officers and enlisted men of the Army, be transferred from the Committee on Military Affairs to the Committee on Claims of the House of Representatives.

Reference, pages 201 and 202, Book of Estimates of Appropriations, fiscal year 1913.

Very respectfully,

ROBERT SHAW OLIVER,
Acting Secretary of War.

[H. R. 4582, Sixty-second Congress, first session.]

A BILL For the relief of the Pennsylvania Engineering Company, of the city of Philadelphia.

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any funds in the Treasury not otherwise appropriated, to the Pennsylvania Engineering Company, of the city of Philadelphia, the sum of one thousand and seventy-nine dollars and sixty cents, and said sum of one thousand and seventy-nine dollars and sixty cents is hereby appropriated, in full compensation for extra work done in the installation of a portable experimental refrigerating plant for, and by direction of, the Department of Agriculture, Bureau of Plant Industry, in the year nineteen hundred and eight.

Mr. Levy, from the Committee on Claims, submitted the following report (to accompany H. R. 4582):

The Committee on Claims, to whom was referred the bill (H. R. 4582) for the relief of the Pennsylvania Engineering Co., of the city of Philadelphia, having considered the same, report thereon with a commendation that it do pass.

Appended hereto is a part of Private Calendar No. 578, Report No. 1473, and a letter from the Secretary of Agriculture, under date of February 27, 1912, which is made a part of this report.

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, February 27, 1912.

HON. J. HAMPTON MOORE,
House of Representatives.

SIR: Replying to yours of the 16th instant regarding the claim of the Pennsylvania Engineering Co., and inclosing Private Calendar No. 578, in which is printed my letter of April 22, 1910, and memorandum on claim of the Pennsylvania Engineering Co., I would say that the claim as presented is entirely just. The Pennsylvania Engineering Co. rendered the service covered by this claim in the form of extra work and materials found necessary during the progress of the work under their contract to install a portable refrigerating plant for the Bureau of Plant Industry of this department. By doing this they effected an actual saving of cost to the department and at the same time expedited the completion of the work which was needed by the department. Their failure to conform to the contract stipulations and specifications regarding the submitting of estimates of cost of extra work found necessary during the progress of the work under their contract for approval by the Bureau of Plant Industry left the department without legal authority to pay the account, although sufficient funds were available under the appropriation act for the fiscal year 1909.

The details of the matter are set forth in the memorandum which accompanied my letter of April 22, 1910, and there can be no question that the account is correct and that the sum claimed by the Pennsylvania Engineering Co. is due for the service rendered by them.

Very respectfully,

JAMES WILSON, *Secretary.*

[House Report No. 1473, Sixty-first Congress, second session. Private Calendar No. 578.]

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, D. C., April 22, 1910.

SIR: Replying to your request of the 19th instant, accompanied by a copy of H. R. No. 23888, a bill for the relief of the Pennsylvania Engineering Co., of the city of Philadelphia (appropriating the sum of \$1,079.60 in full compensation for extra work done in the installation of a portable experimental refrigerating plant for the Bureau of Plant Industry of this department), I inclose herewith a memorandum covering the essential facts regarding this claim. There is apparently no question that the Pennsylvania Engineering Co. rendered the service for which they claim payment and that by doing so they effected a saving of cost to the department, and, what was equally important, expedited the completion of the work which was desired by the department.

Through their failure to conform to the contract stipulations and specifications regarding the submitting of estimates of cost of extra work found necessary during the progress of the work under their contract for approval by the Chief of the Bureau of Plant Industry, the department is without authority to pay the account, although sufficient funds are still available under the appropriation act for the fiscal year 1909.

It is therefore considered that the only way through which payment could be made would be through a special act of Congress.

Yours, very truly,

JAMES WILSON,
Secretary.

HON. GEORGE W. PRINCE,
Chairman Committee on Claims, House of Representatives.

[Memorandum on claim of Pennsylvania Engineering Co. for \$1,079.60, covering labor, materials, etc., furnished in connection with installation of portable refrigerating plant from July 17 to November 21, 1908.]

Under the contract between the Pennsylvania Engineering Co. and the Secretary of Agriculture, dated June 3, 1908, that firm installed a portable refrigerating plant in a specially built box car already owned by the department, such equipment being needed for use in experimental investigation of fruit transportation problems prosecuted by the department. The sum named in the contract for the work covered by the contract and specifications was \$5,300, that being the bid of the Pennsylvania Engineering Co., which was the lowest bidder. This contract reserved to the department the right to make "any omission from, addition to, or change in said machinery, apparatus, appliances, and accessories, and the manner of installation thereof, as required in the specifications and drawings." It was further provided that in case any such change should be required the contractor should submit a reasonable proposal in writing, and that the Secretary of Agriculture should have the right to fix the cost of any such change, his decision in such cases to be final.

The work of installation which was done in the summer of 1908 was supervised by Mr. S. J. Dennis, expert in refrigeration, of the Bureau of Plant Industry, who had designed the plant. The plant was recognized as of experimental character, no similar construction having been previously done.

During the progress of the work it was found that changes and rearrangements in various portions of the equipment would be necessary in order that the plant might be capable of satisfactorily carrying out the experimental work for which it was designed. In order to determine exactly what was necessary, considerable work of an experimental nature was performed, involving the furnishing of both material and labor not contemplated in the contract and specifications. When it became evident that some such changes would be necessary the Pennsylvania Engineering Co. was requested by Mr. S. J. Dennis to furnish an estimate of the cost of a certain piece of extra work—"alteration to water lines on gas engines"—but the company, realizing that it would be necessary to do the work piecemeal in order that it should be properly adjusted to other portions of the installation under way at the same time, considered it impracticable to furnish an intelligent estimate.

The company therefore undertook to perform such extra work as above indicated without going through the form of submitting estimates in advance of doing the extra work, it being impossible to make reasonably close estimates because of the uncertain and experimental nature of much of the work. This was done without securing the approval of the Chief of the Bureau of Plant Industry, whose approval was required in the specifications accompanying the contract where matters involving modifications in contract and payments were concerned. Under the circumstances it was entirely impracticable to obtain competitive bids on such work, and any cessation of work made necessary by the submitting of estimates on such special jobs for approval by the department would have necessitated cessation of the entire work of installation and would have greatly delayed the completion of the installation. Delay in completion of the plant would have seriously interfered with the prosecution of the experimental work for which it was constructed, such work requiring the transportation of the plant to California for use in precooling oranges in the early spring of 1909. The company therefore undertook this work as found necessary by Mr. Dennis, and satisfactorily completed it.

The work covered by the contract and specifications having been satisfactorily completed, and the plant having been delivered in Washington, payment of the voucher of the Pennsylvania Engineering Co. for \$5,300 was approved in March, 1909, and payment therefor was made.

The bill for the extra labor and materials as first submitted was not clearly stated and was returned to the Pennsylvania Engineering Co. for restatement. After such restatement it was checked over in detail by Mr. Dennis and was approved for payment under Department Authorization No. 1129, dated July 1, 1908, which authorized "such expenses as may be found necessary in the prosecution of the fruit transportation and storage investigations" of the Bureau of Plant Industry, there being available thereunder a sufficient amount to pay the voucher, and vouchers of similar character covering work and materials payable to parties not under contract with the department having previously been paid under the same authorization.

Doubt having arisen in the mind of the Chief of the Bureau of Plant Industry as to authority to pay the voucher, the matter was referred to the Solicitor of the department, who rendered an opinion on December 15, 1909, that the department lacked such authority, and citing several cases in which claims by contractors on the United States for extra work had been disallowed. It should, however, be said in this connection that the work covered by the contract of the Pennsylvania Engineering Co. was essentially experimental in many particulars and quite outside of the usual range of work usually performed under contract.

[H. R. 5117, Sixty-second Congress, first session.]

A BILL To pay the claim of Mrs. Charles H. Benson, of San Antonio, Texas, for damages done to her phaeton by a caisson of the Third Regiment United States Field Artillery.

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Mrs. Charles H. Benson, of San Antonio, Texas, out of any money in the Treasury not otherwise appropriated, the sum of forty-six dollars and fifteen cents, in full settlement of her claim against the Government of the United States for damages done to her phaeton by a caisson of the Third Regiment United States Field Artillery.

Mr. Dickinson, from the Committee on Claims, submitted the following report (to accompany H. R. 5117):

The Committee on Claims, to whom was referred the bill (H. R. 5117) for the relief of Mrs. Charles H. Benson, of San Antonio, Texas, for damages done to her phaeton by caisson of Battery A, Third Field Artillery, at Fort Sam Houston, Tex., on February 20, 1909, amounting to \$46.15, having considered the same, report thereon with a recommendation that it do pass.

This claim was considered by a board of officers appointed to investigate it, and the sum of \$46.15 was ascertained to be due claimant, and said sum was included in the estimates of the War Department submitted to Congress at its present session in estimates of appropriations required for the fiscal year ending June 30, 1913; but was transferred from the Committee on Military Affairs to the Committee on Claims at the request of Hon. Robert Shaw Oliver, Acting Secretary of War, in a letter addressed to Hon. Champ Clark, Speaker of the House of Representatives, under date of December 27, 1911.

[H. R. 5118, Sixty-second Congress, first session.]

A BILL To pay Henry Fink for the loss of a horse killed by United States soldiers while at target practice.

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Henry Fink, of Bulverde, Texas, the sum of seventy-five dollars, in full settlement of his claim against the United States for the loss of a horse killed by soldiers of the United States while at target practice.

Mr. Dickinson, from the Committee on Claims, submitted the following report (to accompany H. R. 5118):

The Committee on Claims, to whom was referred the bill (H. R. 5118) to pay Henry Fink for the loss of a horse killed by United States soldiers while at target practice, having considered the same, report thereon with a recommendation that it do pass.

The claim of Henry Fink, of Bulverde, Tex., is for the value of a horse accidentally shot by troops engaged in target practice at Leon Springs target range on May 15, 1910, to wit, \$75. This claim was considered by a board of officers appointed to investigate it, and the sum of \$75 was ascertained to be due claimant. This sum was included in the estimates of the War Department submitted to Congress at its present session in estimates of appropriations required for the fiscal year ending June 30, 1913, but was transferred from the Committee on Military Affairs to the Committee on Claims at the request of Hon. Robert Shaw Oliver, Acting Secretary of War, in a letter addressed to Hon. Champ Clark, Speaker of the House of Representatives, under date of December 27, 1911.

[H. R. 17200, Sixty-second Congress, second session.]

A BILL To pay the claim of Andrew Blank for breaking down fences and rounding up cattle during the Army maneuvers at Leon Springs, Texas.]

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Andrew Blank, of Van Raub, Texas, out of any money in the Treasury not otherwise appropriated, the sum of fifteen dollars, in full settlement of his claim against the United States Government for damages for breaking down fences and for rounding up cattle during Army maneuvers at Leon Springs, Texas, in August, nineteen hundred and ten.

Mr. Dickinson, from the Committee on Claims, submitted the following report (to accompany H. R. 17200):

The Committee on Claims, to whom was referred the bill (H. R. 17200) to pay the claim of Andrew Blank for breaking down fences and rounding up cattle during the Army maneuvers at Leon Springs, Tex., having considered the same, report thereon with a recommendation that it do pass.

This bill is for \$15 damages due Andrew Blank, of Van Raub, Tex., for breaking down fences and for rounding up cattle during the Army maneuvers at Leon Springs, Tex., in August, 1910. This claim was considered by a board of officers appointed to investigate it, and the sum of \$15 was ascertained to be due the claimant. This sum was included in the estimates of the War Department submitted to Congress at its present session in estimates of appropriations required for the fiscal year ending June 30, 1913, but was transferred from the Committee on Military Affairs to the Committee on Claims at the request of Hon. Robert Shaw Oliver, Acting Secretary of War, in a letter addressed to Hon. Champ Clark, Speaker of the House of Representatives, under date of December 27, 1911.

[H. R. 17201, Sixty-second Congress, second session.]

A BILL To pay the claim of Hermann Voges and Henry Eikman for damages incurred by soldiers cutting their wire fence.

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Hermann Voges and Henry Eikman, of San Antonio, Texas, out of any money in the Treasury not otherwise appropriated, the sum of fifteen dollars, in full settlement of their claim against the Government of the United States for damages done to their fence by soldiers cutting a passage for a four-mule team across their pasture field to the Leon Springs Government Reservation in August, nineteen hundred and ten.

Mr. Dickinson, from the Committee on Claims, submitted the following report (to accompany H. R. 17201):

The Committee on Claims, to whom was referred the bill (H. R. 17201) to pay the claim of Hermann Voges and Henry Eikman for damages incurred by soldiers cutting their wire fence, having considered the same, report thereon with a recommendation that it do pass.

This bill is for the relief of Hermann Voges and Henry Eikman, of San Antonio, Tex., for damages incurred by reason of having their fence cut by soldiers in order to secure passage for a four-mule team across their pasture field to the Leon Springs Government Reservation in August, 1910. This claim was considered by a board of officers appointed to investigate it, and the sum of \$15 was ascertained to be due claimant. This sum was included in the estimates of the War

Department, submitted to Congress at its present session in estimates of appropriations required for the fiscal year ending June 30, 1913, but was transferred from the Committee on Military Affairs to the Committee on Claims at the request of Hon. Robert Shaw Oliver, Acting Secretary of War, in a letter addressed to Hon. Champ Clark, Speaker of the House of Representatives, under date of December 27, 1911.

[H. R. 16894, Sixty-second Congress, second session.]

A BILL For the relief of the legal representatives of the estate of Robert B. Pearce.

Be it enacted, etc., That there be, and hereby is, appropriated, out of any moneys in the Treasury not otherwise appropriated, the sum of one hundred and forty-nine dollars and fifty cents to pay the legal representatives of Robert B. Pearce, late of Sevier County, Arkansas, for amount due for carrying the mail from Fulton, Arkansas, to Rocky Comfort, in said State, in the year eighteen hundred and sixty-one.

Mr. Levy, from the Committee on Claims, submitted the following report (to accompany H. R. 16894):

The Committee on Claims, to whom was referred the bill (H. R. 16894) for the relief of the legal representatives of Robert B. Pearce, having considered the same, report thereon with a recommendation that it do pass.

This is a claim for a balance due for carrying mails in 1861, and as per letter of the Hon. Charles A. Kram, this amount is now due the said Robert B. Pearce, or his legal representatives. The letter of the Hon. Charles A. Kram is hereto attached and made a part of this report.

TREASURY DEPARTMENT,
Washington, December 28, 1911.

Hon. BEN CRAVENS,
House of Representatives.

SIR: This office is in receipt, by reference from the Auditor for the War Department, of your letter of the 20th instant relative to a claim of Mr. Freedom Pearce for \$149.51 for carrying mails from Fulton to Rocky Comfort, Ark., in 1861.

This office has no record of any claim filed by or on behalf of Mr. Freedom Pearce.

Mr. Robert B. Pearce was the contractor on route No. 7951, Fulton to Rocky Comfort, Ark., in the contract term from July 1, 1858, until the service was discontinued by the Postmaster General in 1861. He was paid in full for services rendered to December 31, 1860, at the contract rate of pay, \$598 per annum.

For services rendered in the quarter ended March 31, 1861, there is \$149.50 due to Mr. Robert B. Pearce. This sum can not be paid, however, until Congress appropriates the necessary funds.

Respectfully,

CHAS. A. KRAM, Auditor.

[H. R. 16335, Sixty-second Congress, second session.]

A BILL Providing for the refund of certain duties incorrectly collected on wild-celery seed.

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any moneys in the Treasury not otherwise appropriated, to William A. Avis, of New York, New York, the sum of four hundred and thirty-four dollars and thirty cents, being the amount incorrectly collected on four thousand three hundred and forty-three pounds of wild-celery seed imported at the port of New York on November third, nineteen hundred and nine, entry numbered two hundred and seventy-three thousand seven hundred and forty.

Mr. Levy, from the Committee on Claims, submitted the following report (to accompany H. R. 16335):

The Committee on Claims, to whom was referred the bill (H. R. 16335) providing for the return of certain duties incorrectly collected on wild-celery seed, having considered the same, report thereon with a recommendation that it do pass.

The facts of the case are set out fully in a letter from the honorable Secretary of the Treasury under date of January 18, 1912, which is hereto attached and made a part of this report.

TREASURY DEPARTMENT,
OFFICE OF THE SECRETARY,
Washington, January 18, 1912.

The CHAIRMAN COMMITTEE ON CLAIMS,
House of Representatives.

SIR: I have the honor to acknowledge the receipt of your letter of the 5th instant, inclosing a copy of the bill (H. R. 16335) authorizing the payment to William A. Avis, of New York, of \$434.30, collected on 4,343 pounds wild-celery seed, and requesting all papers of copies of the same on file relating to the claim with an opinion as to its merits.

In reply I inclose herewith copies of letters from William A. Avis & Co. and the collector of customs at New York relative to the subject, with a copy of the department's decision of November 11, 1911, addressed to the collector of customs at New York in the matter.

It appears that the merchandise was imported through the port of New York by Van Loan, Maguire & Gaffney in November, 1909, and was entered for their account by William A. Avis & Co. as customs brokers on entry 273740. The seed was entered free of duty under paragraph 559 of the tariff act of 1909, but was returned at 10 cents per pound under paragraph 226 of the said act as "seeds not specially provided for," and liquidation was made according to this return on December 27, 1909, and duties assessed amounting to \$434.30, which were paid on January 4, 1910. There is no record in the customs office of any protest having been filed against this assessment of duty, although the brokers claim that they duly filed a protest against the liquidation, claiming free entry for the merchandise as a crude drug under paragraph 663 of the tariff act, and presented to the department a copy of the protest from their files. (It appears that the paragraph number should have been 559.)

Two other importations of a similar character were afterwards entered by the same importers and duty assessed. In these cases protests were filed and refunds were made in accordance with the decision of the Board of United States General Appraisers in T. D. 31476.

The collector of customs states that it is practically impossible that a protest could have been filed in the customs office without having been recorded, as the filing of protests is carefully scrutinized, and it would appear that there was an oversight on the part of the brokers' representative in failing to protest in the case of entry 273740.

The brokers, under the circumstances, refunded the amount of the duties to the importers and requested permission to file a protest as of a date within the 15 days required by subsection 14 of section 28 of the tariff act of 1909; but there was no provision of law under which the department could comply with the request, and it was unable to grant relief.

If Congress should, however, upon the facts presented see fit to authorize a refund of the duties in question, the department will interpose no objection thereto.

Respectfully,

FRANKLIN MACVEAGH, *Secretary.*

[H. R. 18394, Sixty-second Congress, second session.]

A BILL For the relief of the owners of the American schooner Dorothy B. Barrett.

Be it enacted, etc., That the Secretary of the Treasury be, and he hereby is, authorized and directed to pay to the owners of the American schooner *Dorothy B. Barrett* (the G. G. Deering Company, of Bath, Maine, managing owner) the sum of eight

hundred and thirty-eight dollars and forty cents, the same to be in full satisfaction for all claims of loss or damages of whatsoever nature resulting or claimed to have resulted from the collision of the United States ship *Mayrant* with said schooner *Dorothy B. Barrett* off Cape Cod, Massachusetts, on August thirtieth, nineteen hundred and eleven, the above sum of eight hundred and thirty-eight dollars and forty cents being the total amount of items of loss and damage approved by the Navy Department.

Mr. Francis, from the Committee on Claims, submitted the following report (to accompany H. R. 18394):

The Committee on Claims, to whom was referred the bill H. R. 18394, having considered the same, report thereon that it is of the opinion that from the report of the Department of the Navy as to the circumstance of the accident and injury to the *Dorothy B. Barrett* by the U. S. S. *Myrant* off Cape Cod, Mass., June 30, 1911, thereby injuring the property of G. G. Deering Co., managing owner of Bath, Me., that the injury was caused solely by reason of the negligence of said United States marine vessel.

We further find that the several amounts making the total of damages claimed by said company have been submitted by the owner of the schooner and carefully considered by the department and found to be reasonable and found that the owners are entitled to reimbursement in the amount claimed by them. The letter of G. v. L. Meyer, Secretary of the Navy, together with a copy of so much of the memorandum of the department as to the Deering Co.'s claim is submitted herewith and made a part of this report.

Your committee therefore respectfully recommend that said claim be reported favorably to the House for payment.

DEPARTMENT OF THE NAVY,
Washington, January 23, 1912.

MY DEAR CONGRESSMAN: Referring to your letter of the 20th instant relative to the claim of the G. G. Deering Co., of Bath, Me., for damages on account of the collision between their schooner *Dorothy B. Barrett* and the U. S. S. *Mayrant* off Cape Cod, Mass., on August 30, 1911, I have the honor to advise you that the department has this day referred the draft of a bill covering a number of claims of this character, including the claim of the Deering Co. in the amount of \$838.40, to the Senate and the House Committee on Claims with a recommendation that special appropriations be authorized from which the claimants in each instance may be reimbursed for the damages suffered. With the department's letters were inclosed a memorandum setting forth in detail the facts in regard to each claim.

There is inclosed for your information a copy of so much of the memorandum in question as relates to the Deering Co.'s claim.

Faithfully, yours,

G. v. L. MEYER.

HON. DANIEL J. MCGILLCUDDY, M. C.,
House of Representatives.

(12) To pay the owners of the schooner *Dorothy B. Barrett* for damages to their schooner on account of the collision with the U. S. S. *Mayrant* off Cape Cod, Mass., on August 30, 1911, \$838.40.

On the evening of August 29, 1911, the *Mayrant* left Newport, R. I., for Boston, Mass. At about 6.15 p. m. she started on a 25-knot endurance run of six hours' duration. After finishing this run, she continued under a headway of between 23 and 25 knots. "The weather all night had been squally, with considerable sea, rain clouds, and variable winds, from light breezes to fresh squalls, but the atmosphere, while very dark at times, was clear and no difficulty was experienced in picking up light-houses or light vessels or seeing steamers' lights." The running lights of the *Mayrant* were burning, a look-out was stationed, and the officer of the deck and two

enlisted men, in addition to the look-out, were on duty on the bridge. During the night several vessels were passed. At about 3.55 a. m., on the 30th, when the *Mayrant* was about 10 to 12 miles off Cape Cod and proceeding under a headway of between 23 and 25 knots, a dark shape was sighted between 800 and 1,000 yards off the starboard bow. No lights were seen at the time and it was assumed that the object sighted was a vessel proceeding in the same general direction as the *Mayrant*. The course of the naval vessel was accordingly changed a little to port with the idea of passing further astern of the supposed vessel. Very soon after this maneuver was made a red light on the object showed up, and it was then seen to be a schooner near at hand on the port tack, with her running lights properly burning. The course of the schooner was such as to cross the course of the *Mayrant* at about a right angle, the schooner proceeding in a southerly direction, while the *Mayrant* was proceeding in a northwesterly direction.

Orders were immediately given on the *Mayrant* to back engines full speed, but the vessels were so close together that the collision could not be avoided. The officer of the deck on the *Mayrant* testified before the board of naval officers appointed to investigate this collision that only one and a half minutes elapsed between the time the schooner was first sighted as a black object and the moment of the collision. As the result of this collision each vessel was more or less materially damaged.

Rule 20 of the International Rules of the Road makes it incumbent on a steam vessel to keep out of the way of a sailing vessel, while Rule 23 makes it incumbent on a steam vessel to stop or reverse where necessary to carry out Rule 20.

The board found that it was the duty of the *Mayrant* to keep clear of the schooner and is of the opinion that the responsibility for the collision rests with the officer of the deck * * *. It is believed that had the course been changed, either to starboard or port, with full helm, and speed immediately [reduced] on sighting the schooner, the *Mayrant* would have cleared the *Barrett*.

The Bureau of Navigation expressed the opinion that under the circumstances existing, namely, a new vessel just commissioned, with a crew and officers but slightly acquainted with each other and with the vessel and her almost untried maneuvering qualities, the commanding officer * * * did not exhibit good judgment or commendable interest in the safe navigation of the vessel in running at such speed (about 25 knots) in thick weather in such frequented waters.

The bureau also believes that had * * * the officer of the deck been more vigilant, as he should have been under such conditions as above referred, to and acted promptly when the schooner was first sighted a collision would have been avoided * * *.

Both the commanding officer and the officer of the deck have been reprimanded by the department for the manner in which the naval vessel was navigated on the night in question.

The owners of the *Dorothy B. Barrett*, the G. G. Deering Co., of Bath, Me., have submitted itemized bills showing that the actual damages suffered by them as the result of this collision amounted to \$838.40. This amount is made up of the following items, each substantiated by itemized bills duly sworn to: Cost of surveying damage to schooner at Norfolk, Va., on September 4, 1911, \$20.50; towing of schooner to ship-repair yard at Boston, Mass., on September 25, 1911, \$36; survey on September 26, 1911, at the ship-repair yard at Boston prior to making the repairs, \$20; bills of the ship-repair company for making good the injuries to the schooner on account of this collision, \$282.73; demurrage for 4 days and 19 hours while the schooner was laid up for repairs at Boston at the rate of \$100 per day, \$479.17.

With respect to the demurrage item the following information is submitted: The charter party, dated August 23, 1911, under which the *Dorothy B. Barrett* was engaged at the time of the collision, provided for demurrage for detention of the schooner at the rate of 5 cents per ton (bill of lading weight of 3,329 tons of cargo coal) per day. This would make the charter party demurrage amount to \$166.45 per day. The owners of the schooner, however, in their letter of December 5, 1911, addressed to the department, agreed to reduce their demurrage claim to \$100 per day in view of the short time, 4 days and 19 hours, that the vessel was laid up for repairs, and in view of an early settlement of their claim. Under this charter party, which covered a voyage for the transportation of a cargo of coal from Boston to Newport News, the vessel was to receive freight at the rate of 60 cents per ton (bill of lading weight). There is believed to be no question that the demurrage item should be properly included in the claim for damages as submitted by the company.

In view of the fact that there appears to be no question that the responsibility for this collision rests on the *Mayrant*, and as the bills submitted by the owners of the schooner covering the damages suffered by them on account of this collision are believed to be just and reasonable, the department considers that the owners are entitled to reimbursement in the amount claimed by them.

[H. R. 2001, Sixty-second Congress, first session.]

A BILL For the relief of the J. Kennard and Sons Carpet Company, of Saint Louis, Missouri.

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to refund to the J. Kennard and Sons Carpet Company, a corporation of the State of Missouri, the sum of two thousand four hundred and twenty-seven dollars and eighty-eight cents, the same being the amount of penalties heretofore assessed against and collected from said company on account of customs duties in the months of April, May, July, and August, nineteen hundred and seven.

Mr. Cantrill, from the Committee on Claims, submitted the following report (to accompany H. R. 2001):

The Committee on Claims, to whom was referred the bill (H. R. 2001) for the relief of J. Kennard & Sons Carpet Co., having considered the same, report thereon with a recommendation that it do pass.

This is a bill to pay the J. Kennard & Sons Carpet Co. the sum of \$2,427.88, arising out of the following statement of facts: The above company for many years have been large importers of linoleum from England. For a long period a deduction on account of inland freight from the point of manufacture to the port of shipment, amounting to 40 shillings per ton, had been allowed by the manufacturers to the company, and this deduction was also allowed by the appraiser at St. Louis from the invoice price, in order to arrive at the appraisal value. However, in April and May of 1907, the appraiser at St. Louis, for the first time, and without notice to the company, advanced the values on three invoices of linoleum by reducing the allowance for freight from 40 shillings per ton to 13 shillings and 9 pence for 40 cubic feet (a reduction of practically 50 per cent of previous allowances). In subsequent importations, in June, July, and August, 1907, the company, conforming to the ruling of the appraiser, voluntarily increased the invoice value by the amount of the difference just indicated. Without any notification whatever, the appraiser, on July 15, 1907, again changed his ruling on an entry of these goods made June 7, 1907, and raised the appraisal value by eliminating the entire freight allowance.

Thus, within a period of six months the appraiser made three different rulings as to freight allowance on linoleum and gave the company no chance whatever to protect itself and avoid the penal duties resulting from increasing the invoice price. (See act of June 10, 1890, as amended by sec. 32 of the act of June 24, 1897, 30 Stat. L., chap. 11.)

In this way, without any intentional undervaluation, the company, without any intimation whatever of any proposed change by the Government in its allowance for inland freight, became subject to and did pay under protest the sum of \$2,427.88 as penal duties, besides additional duties, by reason of the increased valuation, amounting to \$501.65; and this bill is for the purpose of reimbursing the above company in the sum of \$2,427.88, which it paid as penal duties under protest.

The attached letters and communications give the facts in the case and are asked to be taken as a part of this report.

NOVEMBER 25, 1910.

The CHAIRMAN OF THE COMMITTEE ON CLAIMS,
House of Representatives, Washington, D. C.

SIR: I have the honor to acknowledge the receipt of your reference of the 14th ultimo of H. R. 27153, a bill for the relief of the J. Kennard & Sons Carpet Co., of St. Louis, Mo., to refund to the said company \$2,427.88, the amount of a penalty assessed and collected from the said company on account of customs duties during the months of April, May, July, and August of 1907.

The facts as they appear from the records on file in this department are as follows:

Between the dates of March 23 and August 9, 1907, J. Kennard & Sons Carpet Co., entered at the port of St. Louis nine different shipments of linoleum imported from England. The invoices on which entries were made showed the price at which the merchandise was purchased with various discounts and a freight allowance of 40 shillings per ton, which was deducted from the values of the merchandise, as stated in the invoices.

On some of the entries the importers deducted the entire freight allowance from the invoice value, while on other entries one-half of the freight allowance was deducted.

Upon appraisement by the local appraiser the freight allowance deducted by the importers was added back to make market value; and upon reappraisement by a single general appraiser and by a board of three general appraisers the entire amount deducted as a freight allowance was added to make market value, together with an addition of 2 shillings per bale for packing charges. Pursuant to the requirements of section 13 of the act of June 10, 1890, the surveyor liquidated the entries upon the values returned by the Board of General Appraisers and assessed an additional duty of 1 per cent for each 1 per cent that the appraised value exceeded the entered value, as required by section 32 of the act of July 24, 1897, the total amount of such additional duties being \$2,427.88.

The importers applied to the department for a remission of the additional duties so assessed, but as it appeared that the undervaluation was not the result of a manifest clerical error, this department was without authority to remit the additional duties assessed in accordance with the law.

It appears that linoleum sold in England was invoiced at a price including the freight from the point of shipment in England to the place of delivery in the United States; that for a number of years prior to July 1, 1907, it had been the practice in appraising linoleums to deduct the amount of freight from the purchase price of same to ascertain the foreign market value thereon, and that in accordance with this practice the importers in making entry of linoleums always deducted the freight allowance and declared in their entry the invoice value of the merchandise less the amount allowed them for freight from England to the place of delivery in the United States.

The published reports of reappraisements for the week ended June 24, 1907, reappraisement Nos. 10879, 10881, and 10948, show reappraisements on linoleums wherein the deduction of freight was allowed. All reappraisements of linoleums made subsequent to July 1, 1907, however, show that the deductions for freight were disallowed.

This department has no record of the evidence upon which the Board of General Appraisers changed their ruling and decided that the freight charges should be added to make market value, nor whether these importers had notice of the change of the rule of the general appraisers as to the market value of this merchandise.

It does appear, however, that it was the practice of these importers to enter their merchandise at the value which had been affirmed by the Board of General Appraisers as the correct market value, and that there was no intention on their part to undervalue the said merchandise or to evade the payment of duty thereon.

Respectfully,

FRANKLIN MACVEAGH,
Secretary.

[H. R. 27153, Sixty-first Congress, second session.]

A BILL For the relief of the J. Kennard and Sons Carpet Company, of Saint Louis, Missouri.

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to refund to the J. Kennard and Sons Carpet Company, a corporation of the State of Missouri, the sum of two thousand four hundred and twenty-seven dollars and eighty-eight cents, the same being the amount of penalties heretofore assessed against and collected from said company on account of customs duties in the months of April, May, July, and August, nineteen hundred and seven.

APRIL 9, 1908.

The SURVEYOR OF CUSTOMS,
St. Louis, Mo.

SIR: The department is in receipt of your letter of the 30th ultimo, reporting on the application of J. Kennard & Sons Carpet Co. for remission of additional duties assessed under the provisions of section 32 of the act of July 24, 1897.

The applicants state that they purchased linoleum from a firm in London, England, with certain discounts for cash, and also allowance for freight which they paid for the transportation of the goods from London to St. Louis, so that the net price to the applicants is the price in England, less freight and discounts; that for years it has been the practice of the customs officers to treat the net price, with discounts and freight deducted, as the price upon which duty was to be paid; that on April 20, 1907, the local appraiser made a ruling reducing the freight allowance about half, adding that amount to the price upon which duty was assessed; that they paid duty in accordance with this rule. Later, that is about July 15, 1907, the value of several invoices, upon which duty had already been paid, was raised by the local appraiser by eliminating the entire freight allowance, thus making an additional increase in the valuation upon which duty was to be paid; that this ruling was made with respect to a large number of invoices at one time and upon entries which had been made in accordance with former rulings, so that the applicants had no chance to protect themselves by voluntarily adding the entire freight allowance. The applicants state that they appealed from the ruling of the local appraiser to a General Appraiser, and then to a board of three General Appraisers, and that the ruling of the local appraiser upon valuation has been affirmed, and that increased duties amounting to \$501.65 and additional duties under section 32 amounting to \$2,427.87 have been assessed.

You report the facts substantially as stated by the applicants.

It thus appears that the importers entered their merchandise at what they supposed to be the market value, but, on account of a change in market price as determined by the Board of General Appraisers the values were advanced and the importers subjected to increased and additional duties.

Inasmuch, however, as no clerical error is claimed or shown, and section 32 provides that such additional duties shall not be construed to be penal and shall not be remitted, nor payment thereof in any way avoided, except in cases arising from a manifest clerical error, the department is precluded from granting the desired relief.

Respectfully,

J. B. REYNOLDS, *Assistant Secretary.*

APRIL 9, 1908.

HON. WILLIAM WARNER,
United States Senate.

SIR: I have the honor to inclose herewith for your information a copy of a letter addressed to the surveyor of customs at St. Louis, Mo., relative to the application of the J. Kennard & Sons Carpet Co. for remission of additional duties.

Respectfully,

J. B. REYNOLDS, *Acting Secretary.*

UNITED STATES CUSTOMS SERVICE,
OFFICE OF THE SURVEYOR,
Port of St. Louis, Mo., March 30, 1908.

The SECRETARY OF THE TREASURY,
Washington, D. C.

SIR: I have the honor to acknowledge receipt of letter from the J. Kennard & Sons Carpet Co., of this port, to the department, relative to certain regular and additional (or penal) duties charged against them in the liquidation of certain entries made by them covering linoleum, which letter has been referred to me for report and return.

In reply I beg to state that between the dates of March 23 and August 9, 1907, there were received by this firm nine shipments covering linoleum, imported from England. The consular invoices showed freight allowance of 40 shillings per ton, which was deducted from the invoice value of the merchandise. On entering the goods Messrs. Kennard & Sons deducted this freight allowance from the invoice value. On a portion of the entries one-half of the freight allowance was deducted on entry, this latter allowance being in accordance with previous appraisements made by the appraising department.

When the invoices came under the observation of the appraiser, that officer returned the invoices disallowing the freight charges which had been deducted, thereby adding that amount to the entered value of the merchandise. From that addition the importers appealed to one General Appraiser, who sustained the local appraiser.

An appeal was then taken to the Board of General Appraisers, which body sustained the disallowance of the freight charges, and on these entries, some two or three, on which the local appraiser had allowed half the freight charges, the board disallowed any freight charges, and added 2 shillings per bale for packing.

There being no further appeal provided for by law, the entries were liquidated in accordance with the return of value as made by the Board of General Appraisers, making a regular additional duty of \$501.65, and an additional (penal) duty of \$2,427.88 as stated by the Kennard Carpet Co.

There is no question as to the good faith of the importers, who constitute one of the most reputable firms in this city and who have been importing linoleum for years, and who until comparatively recent date have been allowed the freight reductions shown on the consular invoice. They particularly object to the inclusion of penal duties in the liquidated duties charged against them, but as section No. 7 of the customs administrative act specifically provides that 1 per cent penal duty shall be charged for every 1 per cent that the appraised value exceeds the entered value, I saw no way to avoid charging these additional duties. No protest is filed against these charges, hence the matter rests with the department as to whether or not any change shall be made in the liquidations.

All papers returned herewith.

Respectfully,

CHAS. F. GALLINKAMP,
Surveyor of Customs.

J. KENNARD & SONS CARPET CO.,
St. Louis, March 23, 1908.

HON. GEORGE B. CORTELYOU,
Secretary of the Treasury, Washington, D. C.

DEAR SIR: We are not known to you personally, but we take the liberty of referring to Senator Warner of Missouri, Senator Stone of Missouri, ex-Senator Cockrell, and to Messrs. Bartholdt, Coudrey, and Caulfield, of the St. Louis delegation of the House of Representatives, as to the standing of our company.

We write to ask for your aid in obtaining relief in the matter of the assessment of certain penalties against us because of what has been claimed by the customs authorities to be an undervaluation of goods. The facts out of which the assessment of penalties grow are as follows:

We are purchasers of large amounts of linoleum from a firm in London, England. They sell us the goods delivered f. o. b. St. Louis, at the same price that they sell goods in England. They credit us, and also all English purchasers, with certain discounts for cash and otherwise on this price, and they also allow us for the freight which we pay for the transportation of the goods from London to St. Louis, so that the net price to us is the price in England, less the freight and discounts. This is the same price that every merchant in this country pays under similar circumstances. All of the facts above mentioned are fully set out in the consular invoices, and also in the entries made by us in the customhouse at St. Louis. For years it has been the practice of the customhouse here to treat the net price to us as the price upon which the duty was to be paid.

On April 20, 1907, the local appraiser made a ruling whereby for the purpose of assessing duties he decided that the freight allowance to us should be reduced to about half and thereby correspondingly raised the price upon which duty was assessed. We paid duty in accordance with this ruling, as we did not desire to have any controversy with the Government, and after that our entries were written so as to make the freight allowance conform to that ruling of the appraiser. Later—that is, about July 15, 1907—the valuation of some invoices upon which we had already paid duty was raised by the local appraiser by eliminating the entire freight allowance, thus making an additional increase in the valuation upon which the duty was to be paid. In other words, he ruled that the price to us and any other person who was similarly situated was not reduced by the freight allowance and that the Government would levy the tax without regard to such allowance.

This ruling was made with respect to a large number of invoices at one time and upon entries which we had made in accordance with his former rulings, so that it really gave us no chance whatever to protect our interests by ourselves voluntarily eliminating the entire freight allowance. In other words, we were following the last

ruling which had theretofore been made by the Government authorities, when we were suddenly, and without notice of any kind, confronted with the fact that the ruling had been changed and that by virtue of that changed ruling, and by virtue of that fact alone, we were to be subjected to large penalties.

The first entry under which the ruling was made, that no part of the freight was to be deducted, was the entry on which we had paid duty on June 7, 1907. The appraiser took the entry under consideration and held it under advisement until July 15, 1907. In the meantime, as above stated, we paid the duty on the invoice of June 7, under the old ruling, whereby half of the freight allowance was to be deducted in estimating the price upon which the duty was to be paid. We also paid duty on invoices on June 18 and June 25, 1907, under the same basis and under the old ruling of the Government authorities. On July 15, 1907, the ruling of the appraiser was made wherein he altered his former ruling and for the first time ruled that no part of the freight allowance was to be deducted from the price in estimating the value upon which duty was to be paid, and the claim was made that we should pay not only extra duty on the invoices of June 7, but that we should pay penalties on those invoices and extra duty and penalties on invoices of June 18 and 25, 1907.

If we are compelled to pay penalties under such ruling, the effect of it would be the same as an *ex post facto* law in this, that when we made the entries and paid the duty, we did so in accordance with the law then prevailing, yet by what was equivalent to the enactment of a new law after that time, we have been subjected to heavy penalties, and to the mortification which we feel in having any penalties assessed against us. We say mortification because, although our house has been in business importing goods through the customhouse for more than 50 years, this is the first time anything in the nature of a penalty has been imposed upon us.

We appealed from the ruling of the local appraiser to the general appraiser, and thence to the Board of General Appraisers of New York, and the last ruling of the local appraiser on valuation has been affirmed and the additional duties under such valuation, amounting to \$501.65, and the penalties, to the amount of \$2,427.88, have been assessed. I am sure, although the Board of Appraisers sustained the ruling as to valuation made by the local appraiser, that neither the local appraiser nor any gentleman on the Board of General Appraisers believes that there is any justice in requiring us to pay the penalty for an act which, when done, was done innocently, and in accordance with the law as then administered. There was no concealment on our part of anything. The consular invoice and the entries showed all the facts as to the price, discounts, and allowances.

We would cheerfully pay the additional duties assessed, but we feel that there must be somewhere vested the authority to relieve us from any necessity of paying the penalty of \$2,427.88 for doing something that was strictly in accordance with the law as administered at the time we did it. The assessment of such penalty carries with it not only an unjust financial burden, but also the stigma of having done an unlawful act, and of having tried to evade the payment of a lawful debt. This stigma we do not care to rest under, and we appeal to your sense of fairness and justice for aid in relieving us from it.

We would ask you to pardon the length of this letter, but the action of the Government strikes us as so unjust that we can not submit to it willingly. We therefore invoke your assistance in doing what can be done to relieve ourselves, and others who are similarly situated, from the weight of the unjust burden.

Yours, very truly,

SAM M. KENNARD, *President*.
J. KENNARD & SONS CARPET CO.

P. S.—In using the term “penalty” in this letter, we refer to that additional duty of 1 per cent of the total appraised value for each 1 per cent that such appraised value exceeds the value declared in the entry, which additional duty practically operates as a penalty.

MARCH 31, 1908.

HON. WILLIAM WARNER,
United States Senate.

SIR: Referring to your letter of the 27th instant, inclosing a communication from Mr. Sam M. Kennard, of the J. Kennard & Sons Carpet Co., of St. Louis, Mo., relative to the reappraisement of certain invoices of linoleum, I have the honor to advise you that the department has referred a similar communication to the surveyor of customs at St. Louis for investigation and report. Upon the receipt of such report the department will advise you of the action taken thereon.

Respectfully,

BEEKMAN WINTHROP,
Acting Secretary.

UNITED STATES SENATE, *March 27, 1908.*

MY DEAR MR. SECRETARY: I have the honor to refer to you for such consideration as may be proper the inclosed communication of date the 23d instant, addressed to me by Mr. Sam M. Kennard, of the J. Kennard & Sons Carpet Co., of St. Louis, Mo., relative to ruling by local appraisers, afterwards reviewed by the General Board of Appraisers upon duties on certain invoices of linoleums, etc.

Permit me to add that while I am not personally acquainted with Mr. Kennard, that I am familiar with the standing and reputation of the J. Kennard & Sons Carpet Co. It is a large concern and stands high in the respect of the business men of St. Louis.

Respectfully,

WM. WARNER.

Hon. GEORGE B. CORTELYOU,
Secretary of the Treasury.

J. KENNARD & SONS CARPET CO.,
St. Louis, March 23, 1908.

MY DEAR SENATOR: I am inclosing copy of letter to the honorable Secretary of the Treasury, which I am sending by this mail. Its perusal will indicate our trouble. I respectfully request that you will call upon the Secretary at your earliest convenience, and convince him that our firm should not have a penalty imposed, simply because we asked that a ruling made by our local appraiser should be reviewed by the General Board of Appraisers. I need not assure you that anything you can do for us will be appreciated by the members of our firm.

With kind regards and best wishes, I am, sincerely, yours,

SAM M. KENNARD.

Senator WILLIAM WARNER,
Washington, D. C.

MARCH 23, 1908.

Hon. GEORGE B. CORTELYOU,
Secretary of the Treasury, Washington, D. C.

DEAR SIR: We are not known to you personally, but we take the liberty of referring to Senator Warner of Missouri, Senator Stone of Missouri, ex-Senator Cockrell, and to Messrs. Bartholdt, Coudrey, and Caulfield, of the St. Louis delegation of the House of Representatives, as to the standing of our company.

We write to ask for your aid in obtaining relief in the matter of the assessment of certain penalties against us because of what has been claimed by the customs authorities to be an undervaluation of goods. The facts out of which the assessment of penalties grow are as follows:

We are purchasers of large amounts of linoleum from a firm in London, England. They sell us the goods delivered f. o. b. St. Louis, at the same price that they sell goods in England. They credit us, and also all English purchasers, with certain discounts for cash, and otherwise on this price, and they also allow us for the freight which we pay for the transportation of the goods from London to St. Louis, so that the net price to us is the price in England, less the freight and discounts. This is the same price that every merchant in this country pays under similar circumstances.

All of the facts above mentioned are fully set out in the consular invoices, and also in the entries made by us in the customhouse at St. Louis. For years it has been the practice of the customhouse here to treat the net price to us as the price upon which the duty was to be paid.

On April 20, 1907, the local appraiser made a ruling whereby for the purpose of assessing duties he decided that the freight allowance to us should be reduced to about half and thereby correspondingly raised the price upon which duty was assessed. We paid duty in accordance with this ruling, as we did not desire to have any controversy with the Government, and after that our entries were written so as to make the freight allowance conform to that ruling of the appraiser. Later—that is, about July 15, 1907—the valuation of some invoices upon which we had already paid duty was raised by the local appraiser by eliminating the entire freight allowance, thus making an additional increase in the valuation upon which the duty was to be paid. In other words, he ruled that the price to us and any other person who was similarly situated was not reduced by the freight allowance and that the Government would levy the tax without regard to such allowance.

This ruling was made with respect to a large number of invoices at one time and upon entries which we had made in accordance with his former rulings, so that it

really gave us no chance whatever to protect our interests by ourselves voluntarily eliminating the entire freight allowance. In other words, we were following the last ruling which had theretofore been made by the Government authorities, when we were suddenly, and without notice of any kind, confronted with the fact that the ruling had been changed and that by virtue of that changed ruling, and by virtue of that fact alone, we were to be subjected to large penalties.

The first entry under which the ruling was made, that no part of the freight was to be deducted, was the entry on which we had paid duty on June 7, 1907. The appraiser took the entry under consideration and held it under advisement until July 15, 1907. In the meantime, as above stated, we paid the duty on the invoice of June 7, under the old ruling, whereby half of the freight allowance was to be deducted in estimating the price upon which the duty was to be paid. We also paid duty on invoices on June 18 and June 25, 1907, under the same basis and under the old ruling of the Government authorities. On July 15, 1907, the ruling of the appraiser was made wherein he altered his former ruling and for the first time ruled that no part of the freight allowance was to be deducted from the price in estimating the value upon which duty was to be paid, and the claim was made that we should pay not only extra duty on the invoices of June 7, but that we should pay penalties on those invoices and extra duty and penalties on invoices of June 18 and 25, 1907.

If we are compelled to pay penalties under such ruling, the effect of it would be the same as an "ex post facto" law, in this, that when we made the entries and paid the duty we did so in accordance with the law then prevailing; yet by what was equivalent to the enactment of a new law after that time we have been subjected to heavy penalties and to the mortification which we feel in having any penalties assessed against us. We say mortification because, although our house has been in business importing goods through the customhouse for more than 50 years, this is the first time anything in the nature of a penalty has been imposed upon us.

We appealed from the ruling of the local appraiser to the general appraiser, and thence to the Board of General Appraisers of New York, and the last ruling of the local appraiser on valuation has been affirmed and the additional duties under such valuation, amounting to \$501.65, and the penalties, to the amount of \$2,427.88, have been assessed. I am sure, although the board of appraisers sustained the ruling as to valuation made by the local appraiser, that neither the local appraiser nor any gentleman on the Board of General Appraisers believes that there is any justice in requiring us to pay the penalty for an act which, when done, was done innocently and in accordance with the law as then administered. There was no concealment on our part of anything. The consular invoice and the entries showed all the facts as to the price, discounts, and allowances.

We would cheerfully pay the additional duties assessed; but we feel that there must be somewhere vested the authority to relieve us from any necessity of paying the penalty of \$2,427.88 for doing something that was strictly in accordance with the law as administered at the time we did it. The assessment of such penalty carries with it not only an unjust financial burden, but also the stigma of having done an unlawful act and of having tried to evade the payment of a lawful debt. This stigma we do not care to rest under, and we appeal to your sense of fairness and justice for aid in relieving us from it.

We would ask you to pardon the length of this letter; but the action of the Government strikes us as so unjust that we can not submit to it willingly. We therefore invoke your assistance in doing what can be done to relieve ourselves and others who are similarly situated from the weight of the unjust burden.

Yours, very truly,

P. S.—In using the term "penalty" in this letter we refer to that additional duty of 1 per cent of the total appraised value for each 1 per cent that such appraised value exceeds the value declared in the entry, which additional duty practically operates as a penalty.

[H. R. 12502, Sixty-second Congress, first session.]

A BILL For the relief of W. W. Blood.

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury of the United States not otherwise appropriated, to W. W. Blood, of Greenville, Plumas County, California, the sum of four hundred and thirty-nine dollars and nine cents, in full payment for all work and labor done and performed by him for the Government of the United States or its official representatives at the Indian school near Greenville, Indian Valley, Plumas County, California, during the year nineteen hundred and seven.

Mr. Catin, from the Subcommittee on Claims, submitted the following report (to accompany H. R. 12502):

The Subcommittee on Claims, to whom was referred the bill (H. R. 12502) for the relief of W. W. Blood, having considered the same, report thereon with a recommendation that it do pass.

This is a claim by Mr. W. W. Blood, of Greenville, Cal., for labor and material rendered in certain construction work at the Greenville Indian School in California, in the year 1907, viz:

For digging a reservoir ditch and laying and covering a pipe 2,200 feet long, at 15 cents per foot.....	\$330. 00
Lumber.....	33. 99
335 pressed brick, at 6 cents.....	20. 10
Labor rebuilding furnace in the laundry.....	22. 50
Sand and clay.....	7. 50
Moving bell from top of building and erecting frame and putting bell on same.....	25. 00
Total.....	439. 09

In November, 1909, the Indian Bureau directed Supervisor Harwood Hall to investigate as to the merits of this claim; and, after a most thorough personal inspection, he found that Mr. Blood actually performed the work and furnished the material as above set forth in a satisfactory manner from which the Government benefited, and that the claim is an equitable and just one.

The Interior Department also recommends favorable consideration of this claim.

Appended hereto are letters from the Department of the Interior and other communications and papers which are made a part of this report.

DEPARTMENT OF THE INTERIOR,
Washington, August 9, 1911.

Hon. JOHN E. RAKER,
House of Representatives.

SIR: I have your letter of July 31, 1911, addressed to the Commissioner of Indian Affairs, requesting the use of documents on file in the Indian Office concerning the claim of W. W. Blood for work alleged to have been done by him at the Indian school, Greenville, Cal., and inclosing copy of H. R. 12502, for the relief of W. W. Blood; also requesting recommendation on the claim of Mr. Blood.

In November, 1909, Supervisor Harwood Hall was directed by the Indian Office to investigate and report relative to this claim. On November 30, 1909, he reported favorably upon two items, one of \$330 and the other of \$109.09, amounting to the sum of \$439.09.

In view of the facts as developed by the investigation made, it appears Blood actually performed work and furnished material from which the Government benefited, and that he has an equitable claim. Under the circumstances this department recommends that H. R. 12502 receive favorable consideration of the Congress.

Copies of the papers pertaining to this claim are herewith inclosed.

Respectfully,

SAMUEL ADAMS, *Acting Secretary.*

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, June 21, 1910.

U. S. WEBB, Esq., *Attorney at Law,*
Humboldt Bank Building, San Francisco, Cal.

SIR: In answer to your letter of May 12, 1910, relative to the claim of W. W. Blood, of Greenville, Cal., for work alleged to have been done at the Indian school at that

place, 1907, you are advised that in November, 1909, Supervisor Harwood Hall was directed by this office to investigate and report relative to this claim. On November 30, 1909, Supervisor Hall reported favorably upon two items, one of \$330 and the other of \$109.09.

You are further advised that if this office is called upon to make recommendations relative to the justness of this claim, it will report in accordance with the favorable recommendations made by Supervisor Hall, above referred to.

Very respectfully,

R. G. VALENTINE, *Commissioner.*

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, January 28, 1910.

W. W. BLOOD, Esq.,
Greenville, Cal.

SIR: The office has received a report from Harwood Hall, supervisor of Indian schools, relative to your claims of \$330 and \$109.09 for materials and labor furnished the Greenville School, California, during the fiscal year 1907.

You are advised that inasmuch as the balance of the fund from which these expenditures are payable, viz, "Indian school buildings, 1907," has been returned to the Treasury, this office is not in a position to approve your claims. Therefore the only recourse you have in the matter is by congressional action.

Very respectfully,

C. F. HAUKE, *Chief Clerk.*

REPORT OF HARWOOD HALL, SUPERVISOR OF INDIAN SCHOOLS.

Subject.—Claim of W. W. Blood, of Greenville, Cal., for the sum of \$109.09, growing out of labor and material furnished the United States at the Indian school, Greenville, Cal., as follows, viz, bill dated Greenville, Cal., February 1, 1908:

United States to W. W. Blood, Dr.—

Lumber.....	\$33.99
335 pressed brick, at 6 cents.....	20.10
Labor, rebuilding furnace in the laundry.....	22.50
Sand and clay.....	7.50
Moving bell from top of building and erecting frame and putting bell on same.....	25.00
	109.09

NOVEMBER 30, 1909.

SECTION 1.

Lumber.—I have made all possible inquiries with regard to the lumber alleged to have been delivered to this school by W. W. Blood, and from all testimony procurable I find that he actually did have same hauled; that the lumber was used by Charles Falding, who was engaged by the superintendent in repairing the 14 chimneys, as evidenced by voucher 12, fourth quarter, 1907, there being \$290 paid to the said Charles Falding for his services and materials in making said repairs to chimneys at the Greenville Indian School, and that such lumber, the property of W. W. Blood, was left at the school and used in small lots by the school.

Material and labor for furnace.—I have also ascertained that W. W. Blood did actually use 335 pressed brick, furnished labor, sand, and clay with which he did build a brick furnace at the Indian school, Greenville, Cal.

Moving bell.—There is no question but what W. W. Blood constructed a bell tower upon which he placed the school bell, there being remnants of the tower now in the scrap pile. The bell was afterwards placed upon the main building in a more advantageous position.

From observation, inquiries, and testimony submitted there seems to be no question with regards to there being due W. W. Blood the amount of his claim, \$109.09.

HARWOOD HALL, *Supervisor.*

Affidavits and certificate attached.

REPORT OF HARWOOD HALL, SUPERVISOR OF INDIAN SCHOOLS.

Subject.—Claim of W. W. Blood, Greenville, Cal., for \$330 for excavating a 2,200-foot trench, etc., viz:

United States to W. W. Blood, Dr.:

To labor furnished the Greenville Indian School in 1907, to wit, digging ditch from the upper reservoir and putting in pipe and covering the same, 2,200 feet, at 15 cents per foot \$330

NOVEMBER 30, 1909.

SECTION 2.

In company with the industrial teacher and laborer I made a most thorough and complete inspection of the two reservoirs and measured the distance between them and found that the distance is actually 2,625 feet. The pipe line is 2,625 feet, 25 feet at the lower end not being covered. The digging of the trench is well worth \$330, as rocks, soil, and roots through which the trench had to be dug was very difficult digging. By reference to cash voucher No. 2, third quarter 1907, I find that W. W. Blood was paid \$2,975 for furnishing 1,200 feet of 3½-inch pipe. In addition to this he increased the capacity of the reservoir by raising the retaining wall 3½ feet, furnished 18 feet of 4-inch pipe, 42 feet 10-inch pipe, 85 feet 2-inch pipe, and one 2-inch gate valve, besides rocking up the side of the trench when it passed over a gully.

It seems to me that according to the records, testimony submitted, as well as the condition of the work at this day, that W. W. Blood has a true claim for the amount of \$330.

Affidavits attached.

HARWOOD HALL, *Supervisor.*

GREENVILLE, CAL., *November 30, 1909.*

We, the undersigned, do solemnly swear that we worked for W. W. Blood in enlarging the reservoir at the Greenville Indian School, and also performed the work in laying the pipe line between the upper reservoir and lower reservoir, and also excavated the trench in which we laid the pipe; that the said W. W. Blood actually did raise the retaining wall 3½ feet, when it was our understanding that his agreement called for only 1½ feet; that he at all times directed us to do good work and fully in accordance with the agreement; that he did more than he agreed to do and that the capacity of the reservoir was made at least one-fourth greater than the said agreement called for; that we declare our entire disinterestedness in this matter.

ROBERT PERRY.
JOS. W. CORDEROY.

Subscribed and sworn to before me this 30th day of November, 1909.

J. R. MURRAY, *Notary Public.*

GREENVILLE, CAL., *November 30, 1909.*

I, Fred Farrar, do solemnly swear that I sold to W. W. Blood on October 30, 1906, 2,234 feet of lumber for the Greenville Indian School, costing \$33.99, as taken from my books; that I have no interest in this matter.

FRED FARRAR.

Subscribed and sworn to before me this 30th day of November, 1909.

J. R. MURRAY, *Notary Public.*

GREENVILLE, CAL., *November 30, 1909.*

I, Joseph Corderoy, do solemnly swear that I hauled for W. W. Blood 2,734 feet of lumber to the Indian school, Greenville, Cal., on October 30 and November 1, 1906; that I have no interest in this matter.

JOS. W. CORDEROY.

Subscribed and sworn to before me this 30th day of November, 1909.

J. R. MURRAY, *Notary Public.*

GREENVILLE, CAL., November 30, 1909.

I, W. W. Blood, do solemnly swear that I agreed to furnish 1,200 feet of 3½-inch pipe and connect same with the pipe on the ground between the upper and lower reservoir at the Indian School, Greenville, Cal.; also to raise the retaining wall of reservoir 1½ feet, and that I was to receive therefor the sum of \$2,975; that I did furnish 1,200 feet of 3½-inch pipe; also 18 feet of 4-inch, 42 feet of 10-inch, and 85 feet of 2-inch pipe; that I started at the upper reservoir with 4-inch pipe, then reduced to 3½-inch (1,200 feet), then 3-inch, then 2½-inch, then 2-inch. The 10-inch pipe was put in at a point necessitating a large capacity owing to the topography of the ground; that in addition to the furnishing of 1,200 feet of 3½-inch pipe and other sizes, as heretofore set forth, and raising the reservoir, I excavated a trench or ditch 18 inches deep and 14 inches wide for a distance of 2,600 feet; that I laid the pipe in said trench and covered it with earth; that I not only filled my contract to the letter, but dug the trench and raised reservoir dam 3½ feet instead of 1½ feet as agreed, but also gave more pipe than I agreed, as well as one 1-inch gate valve; that the statement of George W. Wimberly that the distance between reservoirs is only 1,600 feet is false; that I filled the contract honorably and most thoroughly; that I took up 85 feet of 1½-inch pipe at the lower end of the pipe line and did substitute 2-inch pipe instead; that I was not bound to do so, as I had furnished 1,200 feet of 3½-inch pipe and laid same, it being understood that I was to use the best of the old pipe line in order to complete the entire distance between the reservoirs, which I did; that Wimberly complained of there being a small stretch of 1½-inch pipe which had been a part of the old line. However, I took up 85 feet of 1½-inch pipe, all there was, and substituted and furnished at my expense 85 feet of 2-inch pipe in lieu thereof; that the entire length of the pipe line from upper to lower reservoirs is actually 2,625 feet instead of 1,600, as alleged by Wimberly; that there is justly and honestly due me \$330 for excavating a 2,600-foot trench; that no part of same has been paid.

W. W. BLOOD.

Subscribed and sworn to before me this 30th day of November, 1909.

J. R. MURRAY, *Notary Public*.

[H. R. 18616, Sixty-second Congress, second session.]

A BILL For the relief of Thomas Haycock.

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Thomas Haycock the sum of five hundred dollars, to reimburse him for the said sum paid by him to the Government in excess of the amount of the surety bond signed by him in behalf of the late postmaster at Tropic, Utah.

Mr. Cantrill, from the Committee on Claims, submitted the following report (to accompany H. R. 18616):

The Committee on Claims, to whom was referred the bill (H. R. 18616) for the relief of Thomas Haycock, having considered the same, report thereon with a recommendation that it do pass.

The evidence shows that Thomas Haycock was surety on the bond of the postmaster at Tropic, Utah, for the sum of \$1,500. It is also shown by the evidence that said Haycock, as surety, paid to the United States the sum of \$2,000, when his liability was but \$1,500. This bill proposes to reimburse him to the amount of \$500. The bill is recommended for passage by the proper officials of the Treasury and Post Office Departments, whose letters are attached hereto and made a part of this report.

POST OFFICE DEPARTMENT,
OFFICE OF THE POSTMASTER GENERAL,
Washington, D. C., February 21, 1912.

Hon. EDWARD W. POU.

*Chairman Committee on Claims, House of Representatives,
Washington, D. C.*

MY DEAR CONGRESSMAN: Receipt is acknowledged of your letter of the 15th instant, transmitting a copy of a bill (H. R. 18616) for the relief of Thomas Haycock and requesting an opinion as to its merits.

H. Rep. 569, 62-2—5

I beg to inform you that this matter has been referred to the Auditor for the Post Office Department for reply, as his office has all the data relative to this claim.

Yours, very truly,

F. H. HITCHCOCK,
Postmaster General.

—
TREASURY DEPARTMENT,
OFFICE OF THE SECRETARY,
Washington, February 24, 1912.

HON. EDWARD W. POUL,
Chairman Committee on Claims, House of Representatives.

SIR: The Postmaster General has referred to the Auditor for the Post Office Department your request of the 15th instant for a report on House bill 18616 for the relief of Thomas Haycock.

The bill proposes to pay Mr. Haycock \$500 to reimburse him for a payment in excess of the amount of his bond.

Mr. Haycock is one of the sureties on the official bond of Joseph W. Ahlstrom as postmaster at Tropic, Utah. The penalty of that instrument is \$1,500.

Mr. Ahlstrom was indebted to the United States on money-order account in the sum of \$2,843.48, on which a payment of \$2,000 has been credited, reducing the balance to \$843.48. The information in the possession of the Auditor is that the \$2,000 was paid by Surety Haycock.

An officer is liable to the extent of his defaults; a surety only to the extent of his bond. As Mr. Haycock has paid \$500 in excess of his legal liability it is my opinion that the bill is meritorious and I recommend that it do pass.

Respectfully,

FRANKLIN MACVEAGH, Secretary.

—
TREASURY DEPARTMENT,
OFFICE OF AUDITOR FOR POST OFFICE DEPARTMENT,
Washington, January 13, 1911.

HON. JOSEPH HOWELL,
House of Representatives.

SIR: In compliance with your verbal request of this date I return the letter, dated 6th instant, from Thomas Haycock, one of the sureties on the official bond of Joseph W. Ahlstrom as postmaster at Tropic, Utah.

Mr. Ahlstrom's money-order account, as finally audited, exhibited a balance of \$2,843.48 due the United States. The June, 1910, money-order statement from that office shows that \$2,000 was collected from the sureties, reducing the balance due to \$843.48.

The penalty of the bond signed by Mr. Haycock is \$1,500. It would appear, therefore, that the sureties have paid \$500 in excess of their legal liabilities. Under those circumstances it might be that Congress would consider favorably a bill for their relief.

Respectfully,

C. H. KEATING, Acting Auditor.

—
[H. R. 19579, Sixty-second Congress, second session.]

A BILL For the relief of Preston B. C. Lucas.

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to pay to Preston B. C. Lucas the sum of five hundred dollars, which sum is hereby appropriated out of any money in the Treasury not otherwise appropriated.

Mr. Francis, from the Committee on Claims, submitted the following report (to accompany H. R. 19579):

The Committee on Claims, to whom was referred the bill (H. R. 19579) for the relief of Preston B. C. Lucas, having considered the same, report thereon with a recommendation that it do pass with the following amendment:

Strike out in line 4 the word "six" and insert in lieu thereof the word "five," so that the bill as amended will read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized and directed to pay to Preston B. C. Lucas the sum of five hundred dollars, which sum is hereby appropriated out of any money in the Treasury not otherwise appropriated.

This claim arises from the fact that the claimant was an entryman entering land in Tillamook County, Oreg., in accordance with the survey made and marked by the Government, which survey was made to follow a former survey but was afterwards admitted by the Government to have been a mistake, and by reason of this entryman following the survey of the Government he placed upon this land a dwelling house, woodshed, chicken house, built fences and cleared land, about 12 to 13 acres, and afterwards, by a proceeding brought against him, he was dispossessed of the land and the improvements so made resulted to him in total loss.

The facts as to the rights of this claimant are substantiated by the Department of the Interior, whose statement is filed with this case, and affidavits of neighbors and acquaintances of this claimant are also filed in support of the claim.

The value of the improvements are sworn to by the claimant and two other parties who make affidavit as to the value of the improvements and his loss, figuring the amount anywhere from \$600 to \$850. But the amounts are arrived at by these parties in gross, and as it rests entirely on opinion evidence your committee have determined to report favorably the right of this claimant to recover, and suggest that the sum to be paid him be \$500 instead of \$600.

[H. R. 12558, Sixty-second Congress, first session.]

A BILL For the relief of H. A. Shirkey.

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to H. A. Shirkey, of Sissonville, West Virginia, out of any money in the Treasury not otherwise appropriated, the sum of two hundred and seventy-five dollars, being for screen-wagon service for the United States Post Office.

Mr. Mott, from the Committee on Claims, submitted the following report (to accompany H. R. 12558):

The Committee on Claims, to whom was referred the bill (H. R. 12558) for the relief of H. A. Shirkey, having considered the same, report thereon with a recommendation that it do pass.

It appears that this party was under contract, No. 416001, to carry the mail from the post office at Charleston to a railroad station and that the postmaster required him, under said contract, to also carry the mail from said post office to the Coal & Coke Railroad depot during the period from July 1, 1905, to February 26, 1906. After the last-named date it was determined by the Post Office Department that this last service was not included in his contract, and thereafter he was paid for said service the sum of \$35 per month. Mr. Joseph W. Stewart, Second Assistant Postmaster General, under date of March 4, 1912, says:

The service performed by Mr. Shirkey to and from the old depot of the Coal & Coke Railroad during the contract term referred to above could not properly be required of him under the terms of the contract for service on route 416001, screen wagon at Charleston, W. Va.

[H. R. 20338, Sixty-second Congress, second session.]

A BILL For the relief of First Lieutenant Sanderford Jarman.

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to First Lieutenant Sanderford Jarman, United States Army, out of any money in the Treasury not otherwise appropriated, the sum of five hundred and fifty dollars and ninety-one cents, being an amount misappropriated from Government funds by Post Commissary Sergeant Hunt, for which the said First Lieutenant Jarman was accountable while stationed at Fort Morgan, Alabama, said sum having been paid out of his own personal funds by said First Lieutenant Jarman into the Treasury, owing to circumstances over which said First Lieutenant Jarman had no control.

Mr. Levy, from the Committee on Claims, submitted the following report (to accompany H. R. 20337):

The Committee on Claims, to whom was referred the bill (H. R. 20337) for the relief of First Lieut. Sanderford Jarman, having considered the same, report thereon with a recommendation that it do pass.

Lieut. Jarman, the claimant, was in May, 1909, serving on the staff of the district commander of the artillery district of Mobile, and was performing the duties of district quartermaster, commissary, constructing quartermaster, police and prison officer. As commissary he had to provide subsistence stores for the command. A large quantity of the supplies were bought in the local market, and settlement was made therefor at the end of each month. The amount of work falling upon Lieut. Jarman during the month above mentioned was so heavy that it was impossible for him to get time to go to Mobile and settle the bills made during the month of April. On May 9 the tradesmen having complained of delay in the settlement, and Lieut. Jarman still finding it impossible for him to go into Mobile, sent Com. Sergt. Rudolphus Hunt into the city to pay these accounts, and delivered to him checks amounting to \$550.91 with which to settle the accounts. These checks Mr. Hunt indorsed, converted the money to his own use, and absconded. He was later taken into custody, tried for embezzlement, and sentenced to imprisonment at Fort Leavenworth, Kans. Lieut. Jarman was compelled to make good the value of the checks, and the sum of \$550.91 was paid by him into the Treasury. We therefore recommend to the committee that relief be granted in the amount asked for, namely, \$550.91.

Attached hereto are letters from the War Department, which are made a part of this report.

[First indorsement.]

WAR DEPARTMENT,
OFFICE OF THE COMMISSARY GENERAL,
Washington, March 29, 1912.

Respectfully returned to the Secretary of War, inviting attention to deficiency estimate transmitted to his office March 25, 1912, in the case of Lieut. Jarman, which contains all essential facts as shown by the records of this office.

HENRY G. SHARPE,
Commissary General.

[Second indorsement.]

WAR DEPARTMENT, April 1, 1912.

Respectfully returned to the chairman Committee on Claims, House of Representatives, with the information that a deficiency estimate of an appropriation of \$550.91 for the relief of Lieut. Sanderford Jarman, containing all the essential facts with respect to this claim, has been forwarded to-day to the Secretary of the Treasury for transmission to Congress.

ROBERT SHAW OLIVER,
Assistant Secretary of War.

[H. R. 18669, Sixty-second Congress, second session.]

A BILL For the relief of Wickliff Fry, for horse lost while hired by the United States Geological Survey.

Be it enacted, etc., That the sum of one hundred and thirty-five dollars be, and the same hereby is, appropriated, out of any money in the Treasury of the United States not otherwise appropriated, and the Secretary of the Treasury is hereby directed to pay Wickliff Fry, a citizen of Dellroy, Carroll County, in the State of Ohio, in compensation for one horse owned by him and which lost its life while hired by the United States Geological Survey.

Mr. Francis, from the Committee on Claims, submitted the following report (to accompany H. R. 18669):

The Committee on Claims, to whom was referred the bill (H. R. 18669) for the relief of Wickliff Fry for horse lost while hired by the United States Geological Survey, having considered the same, report thereon with a recommendation that it do pass with the following amendment:

In line 3 of said bill strike out the word "eighty-five" and insert in lieu thereof the word "thirty-five."

This claim arises by reason of the loss of a horse by Wickliff Fry, the claimant, who resided at Dellroy, Ohio, who had by written contract hired the same to the United States Geological Survey, wherein claimant was to deliver this horse to the agents of the Government, contract providing feed and stabling of outfit, shoeing, and ordinary repairs away from the stable to be paid for by the United States Geological Survey, and the horse was hired at a fixed rate per day.

The said Wickliff Fry was to, and did, complete the delivery of the horse upon the date of the contract, which was July 1, 1910, or soon thereafter, the officers making the survey taking full charge of the horse, furnishing their own driver, and Mr. Fry having no control whatever over the animal while in their charge away from his stable.

On the 19th day of July, 1910, Mr. Charles C. Bonnell and Mr. W. S. S. Johnson, in charge of the said survey work, took the horse and drove the same along an unused road in the country, where they were required to do this work, and when they had proceeded on this road until they could go no farther they then tied the horse to a willow tree, leaving him hitched to the buggy. This was about 7.30 in the morning, and left him there unattended while they performed their work, and returning to this place about 11.30 o'clock they found the horse dead. The statement of these two parties was to the effect that when they returned they found the horse dead; that the willow bush to which they had tied him was pulled down over his neck and a great hole had been pawed out and was filled with water about him; that the flies were very bad and that no fly covering had been used on the horse and that they had paid no attention to him while there during the whole time he had been left hitched in that condition.

The testimony of Mr. Fry and two witnesses who were with him immediately upon hearing that the horse was dead was to the effect that the place where they hitched this horse was boggy and that the horse had mired up to his body and that in the struggle had been choked to death; that the rope by which he had been tied had been tied around his neck and had not been placed through the bridle ring and claim that if ordinary care had been exercised in the care of this horse he would not have been killed.

We find the testimony somewhat conflicting, and the Department of the Geological Survey, acting upon the unsworn statements of the two employees of the Government, refused to make payment of this

bill and recommended that the matter be taken up in Congress by a bill and submitted to the Committee on Claims for his relief. The value of this horse, from the testimony, varied from \$135 up to \$185, and your committee has concluded that the bill be reported favorably, but in view of the conflicting statements have recommended that the amount as asked in the bill, to wit, \$185, be stricken out and that \$135 be substituted therefor and that the bill do pass.

[H. R. 22124, Sixty-second Congress, second session.]

A BILL For the relief of Thomas R. Mason.

Be it enacted, etc., That the Secretary of the Treasury of the United States is hereby authorized and directed to pay to Thomas R. Mason, of Dexter, Missouri, the sum of one hundred and sixty-nine dollars and forty-five cents for services in carrying the mail on route numbered ninety-six hundred and eighty-three in Kentucky from January first, eighteen hundred and sixty-one, to June thirtieth, eighteen hundred and sixty-one.

Mr. Dickinson, from the Committee on Claims, submitted the following report (to accompany H. R. 22124):

The Committee on Claims, to whom was referred the bill (H. R. 22124) for the relief of Thomas R. Mason, having considered the same, report thereon with a recommendation that it do pass.

Thomas R. Mason, the claimant, was contractor for carrying mails in 1861 on routes Nos. 10003 and 9683, Kentucky. He was paid in full for services on route No. 10003 to March 31, 1861, and the records show no further service on that route. The sum of \$169.45 is shown by the records to be due said Thomas R. Mason for services on route No. 9683, Kentucky, in the period from January 1 to June 30, 1861, and that the sum can not be paid without an appropriation by Congress. In addition to the record proof, the affidavit of Thomas R. Mason shows that said amount is due him for said services.

Affidavits and communications attached hereto are made a part of this report.

STATE OF MISSOURI,
County of Stoddard, ss:

The undersigned, Thomas R. Mason, of Dexter, Mo., but formerly of Adairville and Hopkinsville, Ky., being duly sworn, upon his oath states that there is justly due to him the sum of \$169.45 for carrying the mails on route No. 9683 from Hopkinsville, Ky., to Springfield, Tenn., from January 1, 1861, to June 30, 1861.

Affiant further states that he understands that the records in the office of the Auditor for the Post Office Department shows that certain payments were made to one T. N. Mason by the Confederate States Government on account of a contract with the United States; but affiant states that he does not know the said T. N. Mason, and that he had nothing to do with the contract for which payment is claimed by this affiant, and that any payment made by the Government must have been upon some other account.

The affiant further states that the amount now claimed by him has never been paid, and is justly due to him.

T. R. MASON.

Subscribed and sworn to before me, a notary public within and for Stoddard County, Mo., this 22d day of March, 1912.

[SEAL.]

GEO. MASON, Jr., Notary Public.

(My commission expires Oct. 21, 1912.)

TREASURY DEPARTMENT,
OFFICE OF AUDITOR FOR POST OFFICE DEPARTMENT,
Washington, March 16, 1906.

T. R. MASON,
Hopkinsville, Ky.

SIR: Your letter of the 16th ultimo addressed to the President of the United States, relative to your claim for compensation for services rendered in 1861 in carrying the mail on routes No. 9683, Kentucky, and No. 10003, Tennessee, has been referred to this office.

In reply you are informed that your account on route No. 10003, Tennessee, was adjusted and paid in full to March 31, 1861. On route No. 9683, Kentucky, there is shown a balance in your favor of \$169.45, but the records of the Confederate States Government, now in the custody of this office, show a payment to T. N. Mason of \$448.07 on account of his contract with the United States, and it is presumed that this payment was made to you. If such is the case, you have been overpaid in the sum of \$278.62.

Respectfully,

J. J. McCARDY, Auditor.

TREASURY DEPARTMENT,
OFFICE OF AUDITOR FOR POST OFFICE DEPARTMENT,
Washington, March 16, 1912.

HON. JOSEPH J. RUSSELL,
House of Representatives.

SIR: In compliance with your request of the 13th instant I return the letter addressed to you by Mr. Thomas R. Mason, of Dexter, Mo., contractor for carrying mails in 1861 on routes Nos. 10003 and 9683, Kentucky.

Mr. Mason was paid in full for services rendered on route No. 10003, Kentucky, to March 31, 1861. There is no evidence on file tending to show that he performed any service subsequent to that date.

The sum of \$169.45 is due to Mr. Mason for services on route No. 9683, Kentucky, in the period from January 1 to June 30, 1861. That sum can not be paid, however, without an appropriation by Congress.

In a letter addressed to Hon. J. D. McClardy, House of Representatives, on March 2, 1896, this office said:

"There is in the custody of this office a register of individual payments for mail service, and for other purposes made by the Confederate States Government, which, upon examination, shows that \$448.07 was paid to one T. N. Mason on account of his contracts with the United States, and as T. N. Mason does not appear upon the records of this office, it may be presumed that T. R. Mason, the contractor of record and T. N. Mason, to whom said payment was made by the Confederate Government are identical, if that be so, Mr. Mason has, according to the records, been overpaid \$278.62.

"A report of similar purport was made December 27, 1893, to the chairman of the Committee on Post Offices and Post Roads on H. R. 3937, first session, Fifty-third Congress, for the relief of T. R. Mason."

Respectfully,

CHAS. A. KRAM, Auditor.

[H. R. 18204, Sixty-second Congress, second session.]

A BILL For the relief of the estate of William D. Allen.

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to the legal heirs of William D. Allen, deceased, of Oswego, New York, out of any money in the Treasury not otherwise appropriated, the sum of three hundred and twenty dollars, for work performed in the release and rescue of the lighthouse tender Hare.

Mr. Mott, from the Committee on Claims, submitted the following report (to accompany H. R. 18204):

The Committee on Claims, to whom was referred the bill (H. R. 18204) for the relief of the estate of William D. Allen, having considered the same, report thereon with a recommendation that it do pass with the following amendment.

In lines 6, 7, and 8, strike out the words "six hundred and sixty dollars, with interest at six per centum per annum from November first, nineteen hundred and two," so that the amended bill shall read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and is hereby, authorized and directed to pay to the legal heirs of William D. Allen, deceased, of Oswego, New York, out of any money not otherwise appropriated, the sum of three hundred and twenty dollars, for work performed in the release and rescue of the lighthouse tender Hare.

The Lighthouse Board, after careful examination of this claim April 6, 1903, ordered that an offer of \$320 be made for payment in full of this claim. Mr. Allen rejected the offer. The Department of Commerce and Labor has repeatedly authorized the payment of \$320 as stated above, the last time being on May 14, 1910. Mr. Allen is now dead, and the heirs of the estate are satisfied to accept the sum of \$320. There has never been any question of the Government's liability on this claim, the only difference being in regard to the amount that should be paid.

Appended hereto are letters and statements, which are made a part of this report.

DEPARTMENT OF COMMERCE AND LABOR,
OFFICE OF THE SECRETARY,
Washington, January 16, 1909.

DEAR SIR: I beg to acknowledge the receipt of the committee's indorsement of the 9th instant, inclosing a copy of H. R. 24070, "for the relief of William D. Allen," and asking that the committee be furnished with all facts and information concerning the matter in the possession of this department; also an opinion touching the merits of the claim.

In reply thereto I beg to state that a careful examination was made of all the facts connected with the claim of Mr. Allen, for services rendered by his tug, *Charley Ferris*, in hauling the lighthouse tender *Haze* off Galloo Island Shoal on September 29, 1902, and all papers in connection therewith were considered by the Lighthouse Board at its session on April 6, 1903, when it was ordered—

"That an offer of \$320 be made to Mr. W. D. Allen, of Oswego, N. Y., for payment in full of the services of the tug *Charley Ferris*, for the purpose specified."

This offer was communicated to Mr. Allen on April 11, 1903, and refused by him in a letter dated April 16, 1903, in which letter Mr. Allen offered to compromise the claim by a reduction of \$150 on his original bill of \$660. This offer of compromise was refused by the Lighthouse Board.

The whole matter involving the offer on the part of the Lighthouse Board, the refusal and offer of compromise on the part of Mr. Allen, and the refusal of the Lighthouse Board to accept such compromise, was again presented to the board at its session on March 7, 1904, by the naval Secretary, whereupon after some discussion the board decided to stand by its former decision that it pay only a certain specified amount for the services rendered.

I concur in the conclusions of the board that the sum of \$320 is a just and fair remuneration for the services rendered and recommend that that amount without interest be substituted in the bill.

For the committee's information I beg to inclose herewith copies of the following letters:

Report of the inspector of the tenth lighthouse district, dated March 12, 1903.

Letter from the Lighthouse Board to the inspector of the tenth lighthouse district, dated April 8, 1903, authorizing that officer to offer Mr. Allen \$320 for his services.

Letter from the inspector of the tenth lighthouse district to Mr. Allen, dated April 11, 1903, making the offer as authorized by the Lighthouse Board.

Letter of April 16, 1903, from Mr. Allen to the inspector of the tenth lighthouse district, refusing the offer made by the Lighthouse Board and proposing a compromise.

Letter dated April 24, 1903, from the Lighthouse Board to the inspector of the tenth lighthouse district, stating that the board finds itself unable to act upon Mr. Allen's proposition.

Very truly, yours,

OSCAR S. STRAUS, *Secretary.*

The CHAIRMAN OF THE COMMITTEE ON CLAIMS,
House of Representatives.

LIGHTHOUSE ESTABLISHMENT,
OFFICE OF THE LIGHTHOUSE INSPECTOR, TENTH DISTRICT,
Buffalo, N. Y., March 12, 1903.

The LIGHTHOUSE BOARD,
Washington, D. C.

SIRS: (1) In compliance with the board's instructions, No. 263, dated February 25, 1903, I have considered the additional evidence in the claim of Mr. W. D. Allen for services rendered in connection with hauling the lighthouse tender *Haze* off from Galloo Island Shoal, and respectfully submit the following report and recommendation:

(2) I inclose with papers submitted by Mr. Allen (and returned herewith) copies of correspondence had with Mr. Allen by the United States district attorney and by me.

(3) The correspondence with the district attorney was brought about by my asking him under what national or State law \$50 had to be paid for a wrecking permit by a vessel going to the relief of another vessel. Failing to find any law covering this point, the district attorney addressed a letter to Mr. Allen, with the result shown in the copy of correspondence inclosed.

(4) To me there seems to be two principal points and no more to this controversy, namely, the charges and the conditions under which they were made.

(5) Capt. McLeod says: "In reply to yours of 27th instant, relative to charges paid by underwriters for services of tugs and hawsers working on stranded vessels, depends largely on the situation, exposure, time of year, weather, success of expedition, on releasing vessel without damage, and many other things."

(6) Capt. McLeod's statement is, in short, that the charges depend on the difficulties of the situation and the work required to relieve a vessel. In the case in question the difficulties are shown by the condition of the weather, the situation of the vessel, and the ease with which she was removed from her position, and by the fact that the owners of the *Charley Ferris* insured themselves at the risk of losing (1) the regular insurance, \$5,333, and (2) their vessel, for the sake of collecting \$50 from the Government for a wrecking permit.

(7) The result justified the risk; but I do not think the Government should pay the \$50, because I believe the Government would have been called upon to pay damages if any had been done.

(8) In a personal conversation Capt. McLeod informed me that he had never seen my report. He stated that his letter was in reply to a letter from Mr. Allen asking about prices that had been paid by him or his company.

(9) I addressed a letter to Capt. McLeod in which I stated that a copy of Mr. Allen's letter to him could do no injustice to Mr. Allen if laid before the Lighthouse Board, and asked him (Capt. McLeod) for a copy of that letter for that purpose. Capt. McLeod felt that he would not be justified in giving me a copy, and accordingly refused my request.

(10) As there seems to be a misunderstanding between Mr. Allen and Capt. McLeod, I suggest that the board ask Mr. Allen to authorize Capt. McLeod to forward the letter to the board.

(11) The letters of Mr. W. J. Warwick and Capt. Kerr lack the essentials that would make them of importance in this case. The same may be said of the extracts from bills for services rendered.

(12) It will be seen from Mr. Allen's letter, dated January 30, 1903, that he claims that the tug was employed—from the beginning to the end—20 hours. It will also be seen by Capt. McLeod's letter that "tug's time commences from the time of getting ready until she returns to dock, pumps taken off, outfit put in storehouse." It will be further seen that in my estimate for the services of the tug I called the time "about 10 hours."

(13) With the information at hand I think that I should have reckoned the time at 20 hours instead of "about 10 hours," and I think, as I stated in my first report, "that, considering the emergency of the case and the distance of the *Haze* from port, a liberal allowance should be made for releasing the *Haze*."

(14) As the original recommendation was for an estimate based upon a service of 10 hours' time, double the amount originally recommended ought to be a liberal allowance for the actual time.

(15) I therefore ask to be allowed to withdraw the item "Services of tug *Charley Ferris* (10 hours), \$67.50," in my original report and substitute therefor the item "Services of tug *Charley Ferris* (20 hours), \$135."

(16) I now respectfully recommend that W. D. Allen, of Oswego, be allowed the following:

Services of tug <i>Charley Ferris</i> (20 hours).....	\$135
Use of 10-inch line.....	100
Use of 9-inch line.....	75
Services (Allen) 1 day.....	10
Total.....	320

(17) In coming to the conclusion I have I have accepted as being beyond question the statement made by Mr. Allen that "Capt. McLeod is the oldest and most experienced wrecking master on the Lakes, and in all matters of differences his opinion has great weight."

(18) In conclusion I may say that Capt. McLeod is one of the "Two experienced wrecking masters employed by insurance companies," who "were told the circumstances connected with the grounding and the release of the *Haze* and were asked what charges should be made for that service."

(19) The estimates were made in an office in the building in which Capt. McLeod has his office by the two disinterested parties. Capt. McLeod has since told me that the estimates were and are correct.

Respectfully, yours,

P. GARST,
Commander, United States Navy,
Inspector Tenth Lighthouse District.

TREASURY DEPARTMENT,
OFFICE OF THE LIGHTHOUSE BOARD,
Washington, April 8, 1903.

Commander P. GARST, United States Navy,
Inspector Tenth Lighthouse District, Buffalo, N. Y.

SIR: Referring to your letter dated March 12, 1903, relative to the claim of Mr. W. D. Allen for services rendered by his tug *Charley Ferris* in connection with hauling the lighthouse tender *Haze* off from the Galloo Island Shoal, the board states that this matter was considered at its session of April 6, 1903, when it was ordered that an offer of \$320 be made to Mr. W. D. Allen, of Oswego, N. Y., for payment in full for the services of the tug *Charley Ferris* for the purpose specified.

The board therefore authorizes you to make an offer to Mr. W. D. Allen, as ordered by the board.

Respectfully,

C. T. HUTCHINS,
Captain, United States Navy, Naval Secretary.

LIGHTHOUSE ESTABLISHMENT,
OFFICE OF THE LIGHTHOUSE INSPECTOR, TENTH DISTRICT,
Buffalo, N. Y., April 11, 1903.

Mr. W. D. ALLEN,
Superintendent South Shore Wrecking Co., Oswego, N. Y.

SIR: The Lighthouse Board, by letter dated April 8, 1903, has authorized me to make an offer to you of \$320 for payment in full for services rendered by the tug *Charley Ferris* in connection with hauling the lighthouse tender *Haze* off from Galloo Island Shoal on September 29, 1902.

As authorized by the board, I hereby offer to make payment to you in accordance with the action of the board, when satisfactory vouchers shall have been filed on your part.

I inclose herewith the necessary vouchers in order to expedite payment in the event of your acceptance.

Respectfully,

P. GARST,
Commander United States Navy,
Inspector Tenth Lighthouse District.

OSWEGO, N. Y., April 16, 1903.

Commander P. GARST, United States Navy,
Inspector Tenth Lighthouse District, Buffalo, N. Y.

DEAR SIR: Your favor of the 11th instant at hand. The vouchers are herewith returned unsigned.

Will you kindly forward to the Lighthouse Board the following statement?

That in view of the difference of opinion in regard to my bill against tender *Haze*, I will offer this compromise: I will reduce the charge of tug *Ferris* \$50 and the charge for each line a similar amount, making a reduction of \$150 on the original bill of \$660. It must be understood that I make this compromise offer to avoid possible litigation.

Further, may I ask for an early answer?

Yours, very truly,

W. D. ALLEN,
Contractor and Dealer in Sand, Stone, and Gravel.

TREASURY DEPARTMENT,
OFFICE OF THE LIGHTHOUSE BOARD,
Washington, April 24, 1903.

Commander P. GARST, United States Navy,
Inspector Tenth Lighthouse District, Buffalo, N. Y.

SIR: Referring to your letter of April 20, 1903, the board states that it has received and considered the offer of Superintendent Allen, of the South Shore Wrecking Co., to reduce his bill for assisting the tender *Haze* \$150 on the original bill of \$660, and states that it finds itself unable to act upon his proposition.

The board notes his statement that he makes this offer to avoid possible litigation.

Respectfully,

C. T. HUTCHINS,
Captain, United States Navy, Naval Secretary.

DEPARTMENT OF COMMERCE AND LABOR,
OFFICE OF THE SECRETARY,
Washington, May 14, 1910.

DEAR SIR: Referring to your letter dated April 20, 1910, relative to H. R. 13188, Sixty-first Congress, second session, for the relief of Mr. William D. Allen, of Oswego, N. Y., for work performed in the release and rescue of the lighthouse tender *Haze*, I beg to state that a reexamination of the bill of Mr. Allen, in the total sum of \$660, has been made, and I am still of the opinion that the charges therein are excessive, and that \$320 is a just and fair remuneration for the services rendered, as follows:

Services of the tug <i>Charley Ferris</i> , 20 hours.....	\$135
Use of 10-inch line.....	100
Use of 9-inch line.....	75
Services of Mr. Allen, 1 day.....	10
	320

That the charge of \$50 for a wrecking permit, included in the item of \$250 in the bill of Mr. Allen, should not be charged against the Government.

I therefore renew my recommendation of February 10, 1910, to the committee, that the amount stated—\$320, without interest—be substituted for the amount named in the bill.

The history of this case accompanied the report of this department, dated February 10, 1910, referred to above, and I am unable to add any new facts relative to the merits of the claim.

Herewith are returned the inclosures sent with your letter, as requested.

Respectfully,

BENJ. S. CABLE,
Acting Secretary.

The CHAIRMAN COMMITTEE ON CLAIMS,
House of Representatives, Washington, D. C.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON CLAIMS,
Washington, D. C., April 20, 1910.

SECRETARY OF COMMERCE AND LABOR,
Washington, D. C.

SIR: Under date of February 10, 1910, you sent us a report on H. R. 13188. Mr. Allen appeared before the subcommittee this afternoon and claimed that he should be paid as per the inclosed bill.

I wish you would look over his bill and state wherein it is incorrect.

He insists that his charges in the bill are reasonable and are such as are paid for like service. Please advise the committee what to do under the circumstances.

Kindly return all the inclosed papers with your reply.

Very respectfully,

GEO. W. PRINCE, *Chairman.*

[Copy of original bill.]

OSWEGO, N. Y., October 4, 1902.

The lighthouse tender Haze, owners and underwriters, in account with W. D. Allen, contractor.

Sept. 29. For assisting in releasing steamer <i>Haze</i> from Galloo Shoal:	
For services, tug <i>Ferris</i> (20 hours, at \$10, wrecking permit about \$50).	\$250. 00
Use 10-inch line, 800 feet.	200. 00
Use 9-inch line, 1,200 feet.	200. 00
One day, Allen.	10. 00
	660. 00

DEPARTMENT OF COMMERCE AND LABOR,
OFFICE OF THE SECRETARY,
Washington, February 10, 1910.

DEAR SIR: I beg to acknowledge the receipt of the committee's indorsement of the 24th ultimo, addressed to the Treasury Department, inclosing a copy of H. R. 13188, Sixty-first Congress, second session, a bill for the relief of William D. Allen, and asking that the committee be furnished with a report thereon.

In reply thereto I beg to state that a careful examination has been made of all the facts connected with the claim of Mr. Allen for services rendered by his tug *Charley Ferris* in hauling the lighthouse tender *Haze* off Galloo Island Shoal on September 29, 1902, and the conclusion has been reached that the sum of \$320 is a just and fair remuneration for the services rendered, and I recommend that that amount, without interest, be substituted for the amount named in the bill.

It is noted in line 9 of the bill that the tender *Haze* is referred to as the *Hare*.

Subject to the amendments herein noted, I recommend favorable consideration of the measure by Congress.

Your attention is invited to the inclosed copy of report of prior correspondence in the matter.

Respectfully,

BENJ. S. CABLE,
Acting Secretary.

The CHAIRMAN COMMITTEE ON CLAIMS,
House of Representatives, Washington, D. C.

[H. R. 6409, Sixty-second Congress, first session.]

A BILL For the relief of James Stanton.

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to James Stanton, of Leavenworth, Kansas, out of any money in the Treasury not otherwise appropriated, the sum of one thousand nine hundred and twelve dollars and forty cents, the same being for extra work performed by said James

Stanton on a contract with the War Department, dated June eighth, nineteen hundred and eight, for grading, paving, curbing, and rock hauling on Grant Avenue, Fort Leavenworth, Kansas.

Mr. Mott, from the Committee on Claims, submitted the following report (to accompany H. R. 6409):

The Committee on Claims, to whom was referred the bill (H. R. 6409) for the relief of James Stanton, having considered the same, report thereon with a recommendation that it do pass.

This claim is for extra work done by the said James Stanton under contract dated June 8, 1908, in constructing Grant Avenue, at Fort Leavenworth, Kans. The extra work was done under direction of the constructing quartermaster, and the claim was passed upon by a board of officers which recommended the payment of the sum named in said bill. The report of this board was indorsed by the Quartermaster General and the recommendations were approved by the Acting Secretary of War February 24, 1911. All of these reports and papers are attached hereto and made a part of this report.

WAR DEPARTMENT,
OFFICE OF THE QUARTERMASTER GENERAL,
Washington, December 15, 1911

Hon. D. R. ANTHONY, M. C.,

United States House of Representative, Washington, D. C.

MY DEAR MR. ANTHONY: I inclose herewith, in accordance with your verbal request, copy of communication from this office to the Secretary of War, dated February 24, 1911, on the subject of reimbursement of James Stanton for extra work claimed by him under his contract dated June 8, 1908, for constructing Grant Avenue, at Fort Leavenworth, Kans., and first indorsement thereon, by which this communication was forwarded to you by the Acting Secretary of War.

Very respectfully,

J. B. ALESHIRE,
Quartermaster General, United States Army.

WAR DEPARTMENT,
OFFICE OF THE QUARTERMASTER GENERAL,
Washington, February 24, 1911.

The SECRETARY OF WAR,
Washington, D. C.

SIR: I have the honor to report that Hon. D. R. Anthony called in this office yesterday and stated that he desired to introduce a bill into Congress for the reimbursement of James Stanton on account of extra work claimed by him under his contract, dated June 8, 1908, for constructing Grant Avenue, at Fort Leavenworth, Kans.

He stated that there would not be time for the bill to be referred in the usual way to the War Department and therefore requested that the facts regarding this claim be furnished directly to him from the department. In accordance therewith this statement is submitted.

The original claim submitted by the contractor was for work under five items, as follows:

(1) 4,000 cubic yards of fill, at 39 cents per yard	\$1, 560
(2) 6,000 yards of extra rock hauling, at 30 cents	1, 800
(3) Extra stonework at wing walls of culvert south of railroad	600
(4) 3,000 cubic yards extra rock hauled and placed in foundation of road, at 71 cents	2, 130
(5) Loss and damage sustained by reason of labor and teams kept on hand from accidents and delays at rock quarry, etc.	3, 000
Total	9, 090

The claim was referred to a board of officers for investigation and report, and on November 11, 1910, the papers having been submitted to him, the Assistant Secretary of War directed, with respect to items 2 and 4, that a supplemental contract be pre-

pared, the account stated under the agreement, and the same transmitted to the Auditor for the War Department for settlement. In accordance with these instructions, the supplemental agreement has been approved and the vouchers referred to the auditor for settlement of the claim under items 2 and 4, the amount allowed as fair compensation under these two items being \$2,193.66.

The Assistant Secretary of War also stated in the indorsement of November 11, 1910, that "while there would seem to be no legal way by which the contractor can be paid for items 1 and 3, the department feels that he has a strong equity therein, and it is therefore directed that a supplemental estimate be prepared embodying the necessary legislation to authorize the Quartermaster General to pay for these items, on such basis as he may regard a fair valuation of the work performed, from funds heretofore appropriated. Owing to the absence of any data to substantiate the contractor's claim for loss thereunder, item 5 must be disallowed."

The following is an extract from the proceedings of the board of officers referring to items 1 and 3:

"Item 1 (extra fill): That in order to maintain the road permanently under the guaranty stipulation it was necessary to fill the ditch in question. The number of cubic yards placed in the ditch was approximately 2,660. (See Exhibit C.) The road could have been constructed without the fill, but it could not have been maintained for the guaranty period. As this amount of fill to maintain the roadway is far in excess of the fills contemplated by the original contract, the board is of the opinion that payment should be made for 2,660 cubic yards of fill, at 39 cents per cubic yard, or \$1,037.40, and so recommends.

"Item 3 (addition to wing wall): The board finds that in order to maintain the fill under the guaranty stipulation it was necessary to put in place in the wing walls 70 cubic yards of stone masonry. (See Exhibit C.) As the stone masonry placed in this wing wall to maintain the fill is in excess of the stone masonry contemplated by the original contract, the board is of the opinion that payment should be made for 70 cubic yards, at \$12.50 per cubic yard, or \$875, and the board so recommends."

It is understood that the bill which Mr. Anthony contemplates introducing will be for the purpose of reimbursing the contractor on account of items 1 and 3 in the sum of \$1,912.40, the amount recommended by the board on account of these two items, and favorable consideration is recommended by this office.

It is requested that the papers in the case, inclosed herewith, be returned to this office.

Respectfully,

J. B. ALESHIRE,
Quartermaster General, United States Army.

[First indorsement.]

WAR DEPARTMENT, February 24, 1911.

Respectfully referred to Hon. D. R. Anthony, jr., House of Representatives, inviting attention to the statement of the Quartermaster General herein, and fully concurring in his recommendations that relief be extended in this case by Congress.

ROBERT SHAW OLIVER,
Acting Secretary of War.

WAR DEPARTMENT,
OFFICE OF THE QUARTERMASTER GENERAL,
Washington, February 15, 1911.

CONSTRUCTING QUARTERMASTER,
Fort Leavenworth, Kans.

SIR: Referring to letter of this office of December 28, 1910, and your indorsement of January 3, 1911, with reference to the extra work performed by James Stanton in connection with his contract dated June 8, 1908, for grading, paving, curbing, and rock hauling on Grant Avenue, Fort Leavenworth, Kans., for which he submitted a claim of \$9,090, it appears that the board of officers, by whom the claim was examined, allowed the following amounts:

Item 1.....	\$1,037.40
Item 3.....	875.00
Item 5.....	Nothing.

On November 11, 1910, the claim having been submitted to him, the Assistant Secretary of War directed, with respect to items 2 and 4, that a supplemental contract be prepared, the account stated under the agreement and the same transmitted to the Auditor for the War Department for settlement. In accordance with the above, the

supplemental agreement has been approved and the vouchers referred to the auditor for settlement.

With respect to items 1 and 3, it has been decided that there is no legal way by which the contractor can be paid for these items, but the department feels that he has a strong equity therein. In view of the fact that this department can not lawfully make any settlement for these items, Mr. Stanton should be advised that it will be necessary for him to have this matter taken up by special bill before Congress.

Owing to the absence of any data to substantiate the contractor's claim for loss thereunder, item 5 has been disallowed by the Assistant Secretary of War.

By direction of the Quartermaster General.

Respectfully,

B. T. CLAYTON,
Captain and Quartermaster, United States Army.

An official extract copy respectfully furnished Mr. James Stanton, Leavenworth, Kans., for his information.

J. E. NORMOYLE,
Captain and Quartermaster, United States Army,
Constructing Quartermaster.

Office CONSTRUCTING QUARTERMASTER,
Fort Leavenworth, Kans., February 20, 1911.

[H. R. 8071, Sixty-second Congress, first session.]

A BILL For the relief of Mrs. L. A. Royster.

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Mrs. L. A. Royster, of Webster City, Iowa, the sum of two hundred and fifty dollars, and said sum of two hundred and fifty dollars is hereby appropriated out of any money in the Treasury not otherwise appropriated, the same to be as reimbursement for purchase price of forty acres of land in Hamilton County, Iowa.

Mr. Green, from the Committee on Claims, submitted the following report (to accompany H. R. 8071):

The Committee on Claims, to whom was referred the bill (H. R. 8071), for the relief of Mrs. L. A. Royster, having considered the same, report thereon with a recommendation that it do pass with the following amendments:

In lines 5 and 6 strike out the words "eight hundred" and insert in lieu thereof the words "two hundred and fifty," and in line 8 strike out the word "eighty" and insert in lieu thereof the word "forty."

Your committee respectfully reports that it appears that by reason of a grant made by the Government for the improvement of the Des Moines River in Iowa, a conflict arises between those who claim under this grant and the settlers who claim under the general homestead and land laws and presumably had received patents for their land. Where this conflict arose the title thus conferred by the grant above referred to seems to have been held superior to the title obtained under the general law; and in August, 1894, a statute was passed providing for the appointment of a commission to hear and determine the claims of persons who had entered lands under the general law, but by reason of the facts stated above had lost the title thereto.

Under this statute last referred to Mrs. L. A. Royster, the claimant named in this bill, filed a petition with the commission appointed under the act, claiming \$2,800 on the NE. $\frac{1}{4}$ SW. $\frac{1}{4}$ and SE. $\frac{1}{4}$ NW. $\frac{1}{4}$ sec. 17, T. 87, R. 26. This claim was rejected on the ground that the evidence showed that she purchased of her immediate vendor only the improvements on said land and with actual notice of the claim

under superior title acquired under the said grant for the improvement of navigation of the Des Moines River.

The report of the Secretary of the Interior shows that the claimant is only connected with the Government title to the SE. $\frac{1}{4}$ of SW. $\frac{1}{4}$ of the lands heretofore described. This subdivision last referred to was patented to one Dally under the preemption law and then through several conveyances finally passed by quit-claim deed to the claimant. As neither Dally nor any of the subsequent grantees of this land have ever been compensated for loss of title thereto, your committee is of the opinion that the right to this compensation passed to the claimant herein as the final grantee, notwithstanding the fact that she purchased with notice of the failure of title. The evidence, according to the report of the Secretary of the Interior, showed that the land was worth \$25 per acre at the time she lost the title thereto, but that she only paid \$250 for her quit-claim deed.

The former Secretary of the Interior recommends that she be reimbursed for the amount actually paid, and under the circumstances your committee concurs.

Your committee therefore recommends that the bill be amended by striking out the words "eight hundred" wherever the same appear in the bill and inserting "two hundred and fifty" instead, and by striking out the word "eighty" in the eighth line thereof and substituting the word "forty" instead, and that as so amended the bill be reported favorably for passage.

[H. R. 17322, Sixty-second Congress, second session.]

A BILL For the relief of Amanda Honert.

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Amanda Honert, now of New Buffalo, Michigan, the sum of five hundred dollars, for the destruction, on February twenty-third, nineteen hundred and eleven, of her wearing apparel and other personal property of the value of five hundred dollars by a fire which destroyed a building at the Cheyenne and Arapahoe Indian School, at Caddo Springs, Oklahoma, then being used as a pesthouse for Indian smallpox patients, where said Amanda Honert was then employed as a nurse; and that the said sum of five hundred dollars is hereby appropriated for said purpose out of any money in the Treasury not otherwise appropriated.

Mr. Mott, from the Committee on Claims, submitted the following report (to accompany H. R. 17322):

The Committee on Claims, to whom was referred the bill (H. R. 17322) for the relief of Amanda Honert, having considered the same, report thereon with a recommendation that it do pass.

This is a very meritorious case. Miss Honert lost private property considerably in excess of this sum at a fire in the Cheyenne and Arapahoe School, in Oklahoma, caused by fumigating after an outbreak of smallpox.

Under date of February 3, 1912, the Assistant Secretary of the Interior, in accordance with a report of a special agent, recommended that this claim should be paid.

Letters from Assistant Secretary of the Department of the Interior and special Indian agent are attached hereto, and made a part of this report.

DEPARTMENT OF THE INTERIOR,
Washington, February 3, 1912.

Hon. EDWARD W. POU,
Chairman Committee on Claims, House of Representatives.

SIR: I have the honor to acknowledge the receipt of your letter of January 15, addressed to the Commissioner of Indian Affairs, submitting a copy of H. R. 17322, being a bill for the relief of Amanda Honert, who claims to have lost private property at a fire in the Cheyenne and Arapahoe school in Oklahoma.

In compliance with your request there are inclosed herewith copies of the reports of the superintendent and the principal and physician, together with the original report of the special agent and other correspondence (file 32559-1-1911) being all the papers bearing on this subject.

It is suggested and recommended that legislation be enacted not only reimbursing Miss Honert for the loss sustained, but the other employees referred to by the special agent in his report.

The return of file 32559-1-1911 (being the special agent's report) is requested when it shall have served your purpose.

Respectfully,

SAMUEL ADAMS,
First Assistant Secretary.

DEPARTMENT OF THE INTERIOR,
UNITED STATES INDIAN SERVICE,
CHEYENNE AND ARAPAHO SCHOOL,
Darlington, Okla., April 4, 1911.

COMMISSIONER OF INDIAN AFFAIRS,
Washington, D. C.
(Through Chief Supervisor E. P. Holcombe.)

SIR: In compliance with telegraphic instructions of March 28 I arrived at this school on the 29th to investigate and report on the loss, by fire, February 23, 1911, of the building known as the "boys' dormitory."

This building was originally built in about 1877, and was a three-story structure, with basement under the entire length. The foundation walls were of stone, which extended up to form the walls for the entire ground floor. The second and third stories were frame. The partition walls were mostly of brick. From the picture of the building taken recently, which I am sending, it will be seen that there were two wings—the south and north, the south wing being the more prominent. The ink mark shows the line of stone up to the second story. The roof on each so-called wing was shingle, but between the two wings was hipped and of metal. The ladder referred to by Supt. Freer in his testimony is seen hanging to the building. The steps seen in the picture are the rear ones, or entrance from the east side; and where the fire was first discovered is not shown in picture, as it was on west side.

I am also inclosing four views from different points, showing the condition to-day as a result of the fire.

The basement was used as a furnace room (southwest corner and northeast corner), a bakery (in center on east side), and a meat room. The heating system had been abandoned for some time, stoves being used, and the bakery had had no fire in it for two or three weeks.

I inclose a rough sketch of the interior, for reference in connection with the testimony. The pans with sulphur in different rooms are shown in red.

In January there had been an epidemic of smallpox here, in a mild form, among the school children, and it all originated in the boys' home. Most of the rooms were fumigated with formaldehyde by Dr. Lindley and some of the employees, on February 22, and the night following he again fumigated with sulphur mixed with brimstone. I have examined every employee who assisted the doctor, except Buswell, and their testimony is inclosed herewith. The employees who had quarters in the building were also examined as to what they knew about the fumigation. In Dr. Lindley's testimony, he said that the formaldehyde fumigation was 8 or 10 days previous to that with sulphur; and although his retraction of that statement appears immediately after his direct evidence, it was not given in until I had concluded with all the other witnesses, which accounts for the stress I put in my questions to them in endeavoring to fix the exact date of the formaldehyde fumigation. With only 24 hours between the two fumigations, I considered that the fumes of one coming in contact with the other

might perhaps have produced some chemical change that resulted in a combustion. The point has been well established that the fumes of the formaldehyde were very strong at the time preparations were going forward for the sulphur fumigation.

Dr. Lindley, under whose supervision the fumigation was done, is the school physician and principal teacher—a man about 55 years old; and from the character of his testimony, he is undoubtedly very forgetful and somewhat given to mind wandering. There are a good many discrepancies between his recollections of events connected with the fumigation and those of the disciplinarian, A. V. Crotzer, who was the main assistant. This is particularly marked in one instance, and an important one, when the doctor testified that the pan containing sulphur placed in Miss Thomas's room was put in another one containing ashes. Crotzer says none of the pans were put in a second one with ashes. I draw attention to this fact, as it will be shown that the fire probably started in this room. I consider Mr. Crotzer's testimony the more reliable, as investigation proved his memory to be the better one.

Frank Luke's testimony is important only so far as he acted in the basement, and therefore could give no information as to what took place upstairs. His testimony followed that of Dr. Lindley, and it was Luke who first stated positively that the formaldehyde fumigation took place the evening immediately preceding that by sulphur and not 8 or 10 days before, as stated by the doctor.

The testimony by the other employees who were quartered in the building threw little or no light on the origin of the fire. Mr. John Crotzer settled one point, however, when he said that the pan in the third story hall was burning all right when he went into the building after the fire was under way, the point being that the fire did not start from that pan; and as it had started, apparently, on the third floor, the presumption is that it must have been from the other pan, and this theory is strengthened by the fact that there were only two pans on that floor and no fire was seen on the second floor, as witnesses testified; therefore excluding the origin of the fire as being on any but the third floor. Nurse Honert seemed to think that too much sulphur was used, basing her opinion on the fact that 50 pounds were used to five vessels, or 10 pounds to each. This was afterwards found to be incorrect, as the exact number of vessels used was nine. This fact I established by calling in Dr. Lindley and Crotzer and having them go over the matter carefully again. That would make an average of 5.5 pounds to a pan. The "kindling" spoken of consisted of splinters—merely something to hold a blaze until the sulphur was ignited.

Superintendent Freer was absent from the reservation attending court and could offer no evidence.

From the testimony of Dr. Lindley and A. V. Crotzer, we are forced to believe that the usual precautions were taken to prevent fire from the fumigation; but whether more sulphur was used than was necessary I am not in a position to say. What seems to be a mystery is how the flames should have broken out under the roof on the west side and not over the place where a pan of sulphur was burning; that is, Miss Thomas's schoolroom. There was no sheathing on the frame part of the building; the weatherboards were nailed to the studding on the outside and the laths on the inside, and a fire once started between the weatherboards and laths would have had no trouble in burning through. If the fire did start in the southwest corner (Miss Thomas's room), it would look as though it should have shown itself sooner.

There being no fires in the building, we can arrive at no other conclusion than that the destruction of the building was due indirectly to the fumigation by sulphur, and the theory is that the fire caught from the sulphur in Miss Thomas's schoolroom. We have no proofs of this, however, as they were destroyed by the fire. The fact that the fire was first observed in the west part of the third story; that one of the two pans was seen burning properly at the time the building was ablaze, confirms to a certain extent that the fire probably started from the other pan, which was not seen. This is, of course, problematical, and not a fact, but it is as near as we can get to the facts now. Dr. Lindley has had experience in fumigation, and I can not charge him with carelessness, as the testimony failed to show it, or any contributory negligence on the part of his assistants. I am forced to believe that the direct cause of the fire can not be established, and I recommend that no blame attach to any of the employees, unless it shall be ascertained by expert testimony, first that fumigation with sulphur immediately following that with formaldehyde was dangerous; and, second, that using 5.5 pounds of sulphur was excessive. I have endeavored to ascertain these points, but from the best authorities here I get no satisfactory answers.

Mr. Putt, who acts as superintendent of construction here at times, and who has been here for many years, has given me an estimate of \$4,000 as the value of the building destroyed, and Dr. Lindley has placed the value of the Government property in the building at \$2,850, based on a hurried inventory.

The personal loss by employees is as follows:

Miss Winona Riegel.....	\$75
Mrs. Jennie Brown.....	275
Miss M. Thomas.....	23
Miss Mary Wells.....	80
Miss Amanda Honert.....	700
Mr. and Mrs. A. V. Crotzer.....	332
Mr. Frank Luke.....	50
Mrs. Harriet A. Skinner.....	80
Miss F. M. Weber.....	100
Mr. John Crotzer.....	Did not know.

All the testimony taken is hereto attached.

Very respectfully,

W. W. McCouche,
Special Indian Agent.

[H. R. 8035, Sixty-second Congress, second session.]

A BILL For the relief of John Streckfus.

Be it enacted, etc., That the Mississippi River Commission be, and it is hereby, authorized and directed to pay, from any appropriation made by Congress for works of river and harbor improvement carried on by said commission, to John Streckfus, captain of the J. S., the sum of two hundred and nine dollars and forty cents, in payment and full settlement of all damages done to the said vessel J. S. by the commission's steamer Mississippi on April seventeenth, nineteen hundred and nine, when said steamer Mississippi collided with the said steamer J. S. while the latter was lying at her dock at New Orleans, Louisiana.

Mr. Maguire, from the Committee on Claims, submitted the following report (to accompany H. R. 8035):

The Committee on Claims, to whom was referred the bill (H. R. 8035) for the relief of John Streckfus, having considered the same, report thereon with a recommendation that it do pass with the following amendment:

In line 7 strike out the words "two hundred and ten dollars" and insert in lieu thereof the words "two hundred and nine dollars and forty cents."

This is a case of damage to a steamboat on the Mississippi River by the U. S. S. *Mississippi*. On June 25, 1910, an act was approved giving power to the Chief of Engineers, subject to the approval of the Secretary of War, to adjust and settle all claims for damages caused by collisions when the amount does not exceed \$500. As this collision occurred prior to the approval of said act, the claimant's only recourse for his loss is through an act of Congress.

Letters and statements attached hereto are made a part of this report.

[Telegram.]

NEW ORLEANS, LA., April 17, 1909.

CHIEF OF ENGINEERS, UNITED STATES ARMY,
Washington, D. C.:

By unavoidable accident the steamer *Mississippi* injured steamboat *J. S.* by collision. Telegraphic authority requested to hire immediate repair of same, to expend not exceeding \$210.

BIXBY, Engineers.

[Telegram.]

WAR DEPARTMENT,
OFFICE CHIEF OF ENGINEERS,
Washington, D. C., April 17, 1909.

Col. BIXBY,
Customhouse, St. Louis, Mo.:

Referring your telegram this date, you are authorized to repair steamer *Mississippi* at cost not exceeding \$210.

ABBOT,
Acting Chief of Engineers.

[Telegram.]

NEW ORLEANS, LA., April 19, 1909.

CHIEF OF ENGINEERS, UNITED STATES ARMY,
Washington, D. C.:

Authority requested 17th was desired to cover carpentry work, machine work, and plumbing to be done upon boat injured by steamer *Mississippi*.

BIXBY, Engineers.

[Telegram.]

WASHINGTON, D. C., April 20, 1909.

Col. BIXBY,
Customhouse, St. Louis, Mo.:

Authority to repair private plant can not legally be given.

ABBOT,
Acting Chief of Engineers.

MISSISSIPPI RIVER COMMISSION,
OFFICE OF THE PRESIDENT,
St. Louis, Mo., April 23, 1909.

Brig. Gen. W. L. MARSHALL,
Chief of Engineers, United States Army, Washington, D. C.

GENERAL: (1) Referring to my telegrams of April 17 and 19, from New Orleans, and to your replies of April 17 and 20, all with respect to unavoidable injury of the steamboat *J. S.* by the steamer *Mississippi*, I have herewith to add a few words of explanation for the information of your office in case the matter is brought up again officially.

(2) The steamer *Mississippi*, on arriving at the vicinity of Canal Street, New Orleans, where a public hearing was to be given, was assigned a landing place by the New Orleans port commissioners just above Canal Street and just above the steamboat *J. S.* This place of landing is one which is well known to be troublesome to boats because of the existence of strong eddies, especially during high waters. As the steamer *Mississippi* was making its landing its bow was swung in unexpectedly and with unusual force by this eddy toward the steamboat *J. S.*, and the bow of the steamer *Mississippi* and one of its gangplanks struck the steamboat *J. S.* on its side near the stern, breaking in fully 50 feet of the side of the boat, breaking some of the small steam pipes, and destroying some of the water-closets.

(3) As the steamboat *J. S.* was lying quietly at its dock it could in no way be held responsible for the accident, and it has a just claim for damages.

(4) In my opinion the steamer *Mississippi* was not to blame for the accident, because of the unusually strong eddy and its irregular action, as noted by me immediately afterwards during the subsequent landing of the boat, the eddy being so strong and so irregular that it was with great difficulty that a landing was made, even with the assistance of the port commissioners' towboat, which assisted in shoving the stern of the *Mississippi* in place after the bow was in position. The strong eddies of this vicinity are credited in the past with several serious collisions, but the location is one where it is desirable for boats to make landings on account of its central position with regard to the downtown streets of the city.

(5) While realizing that it would probably be impossible for this engineer office to reimburse the steamboat *J. S.* for any cost of damage, yet it was thought possible that if the authority were asked in advance of the actual work and a bargain were

made for the cost of such work in advance of its execution, and payment were made directly from the United States to the person who did the work and supplied the materials, it might be legally possible to execute the repairs in a case like the present, where the damage done was manifestly not the fault of the party injured, and where it was directly due to the necessary movement of the Government boat.

Very respectfully,

W. H. BIXBY,
*Colonel, Corps of Engineers, United States Army,
President Mississippi River Commission.*

[First indorsement.]

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF ENGINEERS,
Washington, May 7, 1909.

Respectfully returned to Col. Bixby, inviting attention to a decision of the comptroller as given on page 309 of volume 14, Comptroller's Decisions.

It is believed that the only way in which relief can be obtained in a case like this is by a special act of Congress.

W. L. MARSHALL,
Chief of Engineers, United States Army.

[Second indorsement.]

MISSISSIPPI RIVER COMMISSION,
OFFICE OF THE PRESIDENT,
St. Louis, Mo., May 11, 1909.

Respectfully returned to the Chief of Engineers, United States Army.

In the comptroller's decision (p. 309, 1 vol. 14) referred to in first indorsement, the question at issue appears to have been clearly the question of reimbursement. I do not understand that such decision would be applicable, necessarily, to a case where the United States furnishes material and labor from its existing supplies and crews, or where it buys or hires the work necessary to restore the damaged property to its original condition, or as near thereto as the engineer officer judges proper and just.

The next decision (p. 310-312) in the same volume, shows that the comptroller makes a sharp distinction between work of repairs and reimbursements for the cost of the same. My understanding of a "claim" is that it must primarily be a demand for reimbursement of moneys already expended, and, secondarily, must be for amounts of cost which had not previously been considered by the Government officials and which, therefore, had not received their prior approval. I do not understand that a demand for execution of any work is technically or in equity a "claim" when the United States in advance decides for itself what work should be done and then actually performs such work, and I do not understand any of the comptroller's past decisions against repairs of injured property as applying to anything but technical claims.

In the case within named the injured portions of the boat were examined by the United States employees immediately after the accident, and prices were obtained for the repair of the same, with the expectation that if the necessary authority were secured from the Engineer Department the bills for the repair work would be paid directly by the United States to the men who furnished the material and did the work, and such bills would cover only such repair work as the United States considered necessary. The bills for such work can be submitted by the person who did the work, and can be certified to by the Government officials who inspected the injured property immediately after the accident and before any repairs were made, and who decided in advance what repairs were necessary to restore the damaged property. I still see no good reason why the comptroller should not authorize such payment and I would be glad to have his decision in the matter.

Furthermore, it seems to me that if the comptroller decides that the existing law does not allow such repair work as the above to be done and paid for by the United States when the parties injured were not even contributory to the accident, the War Department should endeavor to secure the passage of a new law as soon as possible; and then while awaiting a general law covering such cases, the War Department should itself present this particular case to Congress with request for special authority for payment. Long established custom requires every boat on the Mississippi River to repair property injured by such boat while making a landing; otherwise boats would soon be refused the privilege of landing. Moreover, in all cases where civilians injure Government vessels, plant, wharves, or other property the Government is always very prompt in requiring them to make the repairs immedi-

ately and to pay for the same; and the decision on pages 310-312, volume 14, shows that the comptroller considers such practice right, proper, and allowable. So long as an engineer officer is required to enforce payment by civilians to the Government in cases where the Government is not at fault, he must always feel ashamed to be obliged to state that payment will not be made the other way when the conditions are reversed. The law as heretofore enforced seems to be very unfair and certainly needs correction as a matter of equity and justice.

W. H. BIXBY,
Colonel, Corps of Engineers,
President Mississippi River Commission.

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF ENGINEERS,
Washington, October 26, 1910.

HON. JAMES MCKINNEY, M. C., *Aledo, Ill.*

DEAR SIR: (1) Receipt is acknowledged of your letter of the 21st instant requesting information concerning the availability of a fund from which the claim of Capt. John Streckfus, of Rock Island, Ill., for damage to his steamer *J. S.* by the U. S. S. *Mississippi* could be paid.

(2) In reply you are advised that while the last river and harbor bill provides that "the Chief of Engineers, subject to approval of the Secretary of War, shall have authority to adjust and settle all claims for damages caused by collision in cases when the claim for damages does not exceed \$500, and report the same to Congress for consideration," it has been held by the Secretary of War that the law is not retroactive, and that it applies only to claims arising after the date of the approval of the said act—June 25, 1910.

(3) Since Mr. Streckfus's claim arose before that date, his only recourse appears to be by a special act of Congress. A bill for his relief in the amount of \$210 was favorably reported on by the Chief of Engineers and the Secretary of War during the last session of Congress.

Very respectfully,

EDWD. BURR,
Acting Chief of Engineers.

[H. R. 12376, Sixty-second Congress, first session.]

A BILL For the relief of James A. Showen.

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to James A. Showen, of Spencer, Roane County, West Virginia, out of any funds in the Treasury of the United States not otherwise appropriated, the sum of one hundred and forty-four dollars, being the six months' gratuity pay and funeral allowances, under the provisions of the act of May thirteenth, nineteen hundred and eight, of Corporal Arthur J. Showen, Company F, Second Regiment United States Infantry, who died in service on the twenty-seventh day of July, nineteen hundred and eight, from disease contracted in line of duty, leaving no widow and without having designated a beneficiary under the said act.

Mr. Fowler, from the Committee on Claims, submitted the following report (to accompany H. R. 12376):

The Committee on Claims, to whom was referred the bill (H. R. 12376) for the relief of James A. Showen, of Spencer, W. Va., having considered the same, report thereon with a recommendation that it do pass with amendments.

In line 7, page 1, strike out the word "nine" and insert in lieu thereof the word "forty-four."

In line 8, page 1, after the word "pay" insert the words "and funeral allowances."

Page 2, line 1, strike out all of the bill after the word "act."

This claim is founded on the services of Corpl. J. A. Showen, who served four and one-half years in Company E, Second United States Infantry. He died July 27, 1908, leaving no widow surviving and

designating no one as his beneficiary, as provided by the statute of May 11, 1908. Section 1 of this act provides:

That hereafter, immediately upon official notification of the death from wounds or disease not the result of his own misconduct of any officer or enlisted man on the active list of the Army, the Paymaster General of the Army shall cause to be paid to the widow of such officer or enlisted man, or to any other person previously designated by him, an amount equal to six months' pay at the rate received by such officer or enlisted man at the date of his death, less seventy-five dollars in case of an officer and thirty-five dollars in case of an enlisted man.

The deceased corporal before his death designated no one as the beneficiary of this allowance, and technically there is no law which provides for the allowance of this claim, but, inasmuch as he was contributing to the support of his father at the time of his death, the committee feels that it would not be equitable to refuse an allowance because of the technical failure of the soldier to designate his father as the beneficiary.

The amount of the claim is \$109, but as the \$35 spoken of in the statute above quoted was intended for funeral expenses, and, inasmuch as this amount was not given for this purpose in this case, the committee has decided to add this amount to the claim, making a total allowance of \$144. Report from War Department is appended hereto and made a part of this report.

WAR DEPARTMENT,
THE ADJUTANT GENERAL'S OFFICE,
Washington, April 1, 1912.

Respectfully returned, through the Paymaster General of the Army, to the honorable the Secretary of War.

The records of this office show that Arthur J. Showen was enlisted June 23, 1904, at Cleveland, Ohio, to serve three years; that he was assigned to Troop H, Fifth Cavalry, was transferred to Company F of the Second Infantry in September, 1904, and was honorably discharged the service as a private January 11, 1906, at Fort Logan, Colo., for the convenience of the Government; that he reenlisted January 12, 1906, to serve for another term of three years, was assigned to Company F, Second Infantry, and died, as a corporal, July 27, 1908, at general hospital, Fort Bayard, N. Mex., of pulmonary tuberculosis, in the line of duty. This soldier at the date of his death was serving in his second enlistment period.

It does not appear from the records of this office that this soldier designated a beneficiary, and, so far as the office is advised, he was a single man at the date of his death.

HENRY P. MCCAIN, *Adjutant General.*

WAR DEPARTMENT,
OFFICE OF THE PAYMASTER GENERAL,
Washington, April 2, 1912.

Respectfully returned to the honorable the Secretary of War.

At the date of his death, July 27, 1908, Corp. Arthur J. Showen, Company F, Second Infantry, was entitled to pay at the rate of \$24 per month, so that had he designated a beneficiary said beneficiary would have been entitled to \$144, it having been ascertained that no expense of interment was incurred by the Government which would operate to reduce the amount of the beneficiary claim.

Inclosed herewith is a copy of the correspondence of record in this office with respect to this case, which shows that the death of Corp. Showen was from disease contracted in line of duty; that he did not designate a beneficiary and is not survived by a widow.

P. C. STEVENS,
Acting Paymaster General, United States Army.

[Third indorsement.]

WAR DEPARTMENT, April 4, 1912.

Respectfully returned to the chairman Committee on Claims, House of Representatives, inviting attention to the preceding indorsements hereon and to the accompanying copy of correspondence referred to.

ROBERT SHAW OLIVER,
Assistant Secretary of War.

[H. R. 2115, Sixty-second Congress, first session.]

A BILL For the relief of W. W. Wall.

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to W. W. Wall, of Henry County, Missouri, out of any money in the Treasury not otherwise appropriated, the sum of two hundred and twenty-six dollars and thirty-one cents, being the amount stolen from said Wall while postmaster at Prairie Home, Missouri, and thus lost by him without fault on his part and thereafter by him paid to the Government out of his own funds.

Mr. Pou, from the Committee on Claims, submitted the following report (to accompany H. R. 2115):

The Committee on Claims, to whom was referred the bill (H. R. 2115) for the relief of W. W. Wall, having considered the same, report thereon with a recommendation that it do pass.

This is a case of the robbery of a post office at Prairie Home, Mo. The Post Office Department in a letter under date of January 25, 1912, states: "The records of this department fail to furnish any data on the subject." Your committee has carefully examined the affidavits, petitions, and letters hereto attached (which are made a part of this report), and regards this as a just and meritorious claim. It is true that this claim is a very old one, but it does not seem to have ever received due consideration by any previous Congress. The affidavits, etc., accompanying this bill are full and complete, and Mr. Dickinson, a member of the Committee on Claims, makes the statement that he knows personally nearly all of the men making affidavits, and that they are reputable citizens and that their statements are worthy of the belief and consideration of everyone.

From the evidence it appears that the post office in charge of Mr. Wall was robbed by parties in 1861, supposed to be Union soldiers; that thereafter judgment was obtained in the United States court against said Wall, and he was compelled to pay the same.

Your committee is of the opinion that said Wall was not guilty of neglect and could not have prevented the robbery.

STATE OF MISSOURI, County of Pettis, ss:

On this 6th day of November, A. D. 1908, personally appeared before me Wilson A. Fast, a notary public in and for the aforesaid county, duly authorized to administer oaths, James M. Garrett, aged 67 years, a resident of Sedalia, in the county of Pettis and State of Missouri, whose post-office address is No. 662 East Sixteenth Street, Sedalia, Mo., and well known to be reputable and entitled to credit, and who, being duly sworn, declared in relation to aforesaid case as follows:

That on the 30th day of November, A. D. 1861, his home was in Henry County, Mo., about 31 miles southwest of Sedalia, Mo., and on that day he came to Sedalia, Mo., by the wagon roads for the purpose of enlisting in the United States Army, and on that evening he did enlist in Company L, Twenty-seventh Missouri Volunteer Mounted Infantry. That when on his way to Sedalia on that day and at a point about 3 miles southwest of Sedalia, Mo., he was halted by a United States soldier in the usual

blue uniform, and who made the usual inquiries of a picket on duty. That affiant and said soldier engaged in a general conversation, in which said soldier asked affiant where he was from, which the affiant answered. Then the soldier said that he and some other Federal soldiers had been on a trip west of Sedalia a few days before that and that they had raided a store and carried off all they could carry on their horses. Then the soldier asked affiant if he knew that store, and affiant said he thought he did, and affiant asked him if he knew the name of the owner of the store, and he said no. Then affiant asked him if it was Wallace Wall's store, and the soldier said "Yes; that is the name." Affiant also states that William Wallace Wall was known as "Wallace Wall," and affiant then knew "Wallace Wall" as a storekeeper and postmaster at Prairie Home, Johnson County, Mo., and soon after November 30, 1861, affiant heard that store had been robbed, and then in December, 1861, said Wallace Wall, or William W. Wall, and affiant met, when this affiant told said Wall that he heard said soldier say that he and others had robbed or looted it. Affiant knows the United States post office and said Wall's store were in same building.

JAMES M. GARRETT.

STATE OF MISSOURI, *County of Pettis, ss:*

Sworn to and subscribed before me this day by the above-named affiant, and I certify that I read said affidavit to said affiant, including the words erased and the words added, and acquainted him with its contents before he executed the same. I further certify that I am in no wise interested in said case, nor am I concerned in its prosecution, and that said affiant is personally known to me, and that he is a credible person.

[SEAL.]

WILSON A. FAST,
Notary Public, Sedalia, Mo.

At a stated term of the District Court of the United States for the Western District of Missouri, begun and held at the city of Jefferson, in said district, on the first Monday, the 5th day of March, A. D. 1866.

Present, Hon. Arnold Krekel, judge.

Among the proceedings had were the following:

FRIDAY, MARCH 16, 1866.

The United States *v.* Wallis W. Wall. No. 158. On post-office bond.

Now on this day comes the district attorney in behalf of the United States, and the said defendant, Wallis W. Wall, although duly served with process and now here solemnly called, comes not but makes default, nor has he pleaded to or otherwise answered the said declaration of the plaintiff in this cause.

It is therefore considered by the court here that said plaintiff recover of and against said defendant, Wallis W. Wall, their damages by them sustained by reason of the nonperformance of the promises and undertakings in the declaration mentioned. But because it is unknown to the court what damages the plaintiff has sustained it is ordered that a jury come to inquire and assess the damages the plaintiff has sustained by reason of the premises; and thereupon come the following jury, to wit: E. Golden, William H. Allen, E. L. Clark, J. H. McNeill, C. M. Ward, Andrew Honerson, A. J. Lawrence, William A. Curry, M. James, W. T. Ward, Abraham Lallie, and George Treece, 12 good and lawful men, duly elected, tried, and sworn well and truly to inquire and assess the damages which the United States have sustained by reason of the nonperformance of the promises and undertakings of said defendant, as maintained in the declaration of said plaintiff; and thereupon the jurors aforesaid upon their oaths aforesaid, do say: "We, the jury, find a verdict for the plaintiff and assess the damages at \$226.31."

It is therefore considered and adjudged by the court here that the said plaintiff recover of and against said defendant, Wallis W. Wall, the said sum of \$226.31, the damages aforesaid in form by the jury aforesaid assessed together with their costs and charges in and about their suit in this behalf expended and that they have thereof execution.

UNITED STATES OF AMERICA,

Western District of Missouri, ss:

I, Henry C. Geisberg, clerk of the District Court of the United States for the Central Division of the Western District of Missouri, do hereby certify that the foregoing writing is a full, true, and complete transcript of the judgment in the case therein mentioned, as the same remains of record in my office.

Witness my hand and the seal of the court, last aforesaid, hereunto affixed at office in Jefferson City, in said district, this 3d day of December, A. D. 1907.

[SEAL.]

H. C. GEISBERG, Clerk.

STATE OF MISSOURI, *County of Henry, ss:*

William W. Wall, being duly sworn on his oath in due form of law, says he is the identical William W. Wall who appears as Wallis W. Wall in transcript from the United States district court in judgment rendered against him for the sum of \$226.31 on the 5th day of March, 1866, and which amount this affiant paid, together with costs of suit, and affiant further asks to be reimbursed for said amount, as he was solely helpless in all matters touching the premises by being overpowered and unable to defend himself against the said loss by robbery.

WM. W. WALL.

Subscribed and sworn to before me this 6th day of December, 1907.

[SEAL.]

HENRY SLACK,
Notary Public, Calhoun, Mo.

My term expires August 30, 1909.

STATE OF MISSOURI, *County of Henry, ss:*

William W. Wall, of the county of Henry and State of Missouri, being duly sworn on his oath, says, my age is 79 years. I was postmaster at Prairie Home, in the county of Johnson and State of Missouri, from the fall of 1859 until the last of November, 1861, when five persons, unknown to this affiant, did enter into the post office conducted by said affiant, did by threats to burn the buildings and by threats to do him bodily harm enter the post office and did take and carry away all the stamps, stamped envelopes, and all the moneys therein belonging to the Government, amounting to the sum of \$226.31, which affiant paid to the Government and asks to be reimbursed by act of Congress for said amount.

WILLIAM W. WALL.

Subscribed and sworn to before me this 5th day of December, 1907.

[SEAL.]

HENRY SLACK, Notary Public.

STATE OF MISSOURI, *County of Henry, ss:*

John R. Pigg, being duly sworn, on his oath says: My age is 57 years, a resident of the town of Windsor, Henry County, Mo. I was present in November, 1861, when some unknown persons entered the residence and post office conducted by William W. Wall, in Prairie Home, Johnson County, Mo., and did take and carry away all the moneys and stamps from the post office together with numerous articles from said William W. Wall's residence, and did make threats against the said William W. Wall and did by force take said moneys, stamps, and effects.

JOHN R. PIGG.

Subscribed and sworn to before me this 25th day of October, 1907.

[SEAL.]

HENRY SLACK,
Notary Public.

My term expires August 30, 1909.

STATE OF MISSOURI, *County of Henry, ss:*

Mary E. Gutridge, being duly sworn, on her oath says: I am 60 years old. I was present about the last of November, 1861, at the residence of William W. Wall, at Prairie Home, in Johnson County, State of Missouri, when some persons unknown to this affiant entered the post office conducted by said William W. Wall and did rob and carry away with them stamps, moneys, and stamped envelopes from him the said William W. Wall, and did take other articles of value therefrom, and did use violence on him the said William W. Wall, and made threats to kill him if he didn't turn over to them all articles of value.

M. E. GUTRIDGE.

Subscribed and sworn to before me this 2d day of December, 1907.

[SEAL.]

HENRY SLACK,
Notary Public, Calhoun, Mo.

My term expires August 30, 1909.

STATE OF MISSOURI, *County of Henry, ss:*

A. Draper, of lawful age, being duly sworn, on his oath says that his name is A. Draper; that he is 80 years of age; and that he now resides in Windsor, Henry County, Mo.

That he is acquainted with William W. Wall, and has known him 60 years; that he knows that William W. Wall was postmaster at Prairie Home post office in Johnson County, Mo., in November, 1861; and that his office was robbed by parties supposed to have been Union soldiers in November, 1861.

That in the year 1866, one ——— Rowe, a painter by trade, who was at that time employed by the affiant, stated and told to affiant that he (Rowe) and a number of other members of the State militia came out from Sedalia, Pettis County, Mo., to Prairie Home post office in said Johnson County in November, 1861, and robbed the post office there, and that they treated the postmaster, William W. Wall, "pretty rough."

A. DRAFER.

Subscribed and sworn to before me this 24th day of October, 1907. My commission expires August 27, 1910.

[SEAL.]

ROSS E. FEASTER,
Notary Public, Henry County, Mo.

STATE OF MISSOURI, *County of Henry, ss:*

W. T. Shivel, of lawful age, being duly sworn, on his oath says that he is a resident of Windsor, Henry County, Mo.; that in 1861 was living in Pettis County, Mo., near Prairie Home post office, which was in Johnson County, Mo.

That he is acquainted with William W. Wall, who was postmaster at Prairie Home in 1861, and has known him about 47 years.

That in the fall of 1861 it was currently reported over the neighborhood that Mr. Wall and the post office had been robbed about that time.

W. T. SHIVEL.

Subscribed and sworn to before me this the 24th day of October, 1907. My commission expires August 27, 1910.

[SEAL.]

ROSS E. FEASTER,
Notary Public, Henry County, Mo.

We, the undersigned citizens of Calhoun, Henry County, Mo., do hereby certify that we are well acquainted with William W. Wall, having known him well for the last 30 to 40 years past, and can truthfully say, regardless of our political affiliations, that he is a truthful and upright citizen, and whose word would be taken as truth in any and all statements made by him in any court or otherwise.

H. SLACK,
R. H. GARRETT,
I. N. HUSTON,
D. M. PHELPS,
J. H. GEORGE,
R. S. MUNDAY,
C. C. MAUPIN,

C. S. MORROW,
J. H. DUVALL,
R. A. JONES,
W. C. BUTLER,
JOHN SUGHUE,
H. L. REDFORD,
Calhoun, Mo.

UNITED STATES OF AMERICA,
Western District of Missouri, ss:

I, Henry C. Giesberg, clerk of the District Court of the United States for the Central Division of the Western District of Missouri, do hereby certify that heretofore, on the 30th day of November, A. D. 1865, there was filed in the clerk's office of the District Court of the United States for the Western District of Missouri, at Jefferson City, in said district, a petition in the case of The United States against Wallis W. Wall (case No. 158), said suit being founded upon the official bond of the said Wallis W. Wall, late postmaster at Prairie Home, Johnson County; said bond bearing date November 12, 1859, in the sum of \$300, the penalty of the said bond; that summons was duly issued on the said petition, which was served on the said defendant; and thereafter such proceedings were had in the said cause; that thereafter, on the 16th day of March, A. D. 1866, judgment was rendered therein in favor of the United States and against the said Wallis W. Wall for the sum of \$226.31, and costs (Record A, p. 357).

That afterwards, on the 23d day of March, A. D. 1866, an execution was issued on said judgment, which writ bears the following indorsement, viz:

"September term, 1866. United States v. Wallis W. Wall. Execution. Judgment.
March 16, 1866.

Damages	\$226. 31
Costs:	
Clerk, Peabody.....	\$10. 90
Marshal, Schofield.....	31. 40
District attorney, Pike.....	20. 00
	62. 30
	288. 61
This writ.....	1. 00
Mileage to make levy from Jefferson City to Henry County, 130 miles, at 6 cents per mile.....	7. 80
For levy.....	1. 50
Per cent to collect.....	5. 29
Interest on judgment, four months.....	4. 52
	308. 72

"This execution was satisfied August 28, 1866.

"SMITH O. SCHOFIELD, U. S. Marshal,
"Prairie Home, Johnson County."

In testimony whereof, I have hereunto set my hand and affixed the seal of said court, first aforesaid, at Jefferson City, in said district, this 16th day of December. A. D. 1907.

[SEAL.]

H. C. GEISBERG, Clerk.

[H. R. 20318, Sixty-second Congress, second session.]

A BILL For the relief of the Methodist Church Episcopal of Hull, Massachusetts.

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay the Methodist Episcopal Church of Hull, Massachusetts, out of any money in the Treasury not otherwise appropriated, the sum of four hundred and forty-eight dollars and five cents, as full compensation for damages caused to its church building and parsonage by heavy gun firing at Fort Revere, Massachusetts, in October, nineteen hundred and eight, which damages were assessed by the board of officers and recommended to be paid by the Quartermaster General of the United States Army.

Mr. Dickinson, from the Committee on Claims, submitted the following report (to accompany H. R. 20318):

The Committee on Claims, to whom was referred the bill (H. R. 20318) for the relief of the Methodist Episcopal Church of Hull, Mass., having considered the same, report thereon with a recommendation that it do pass.

The Committee on Claims has examined the proof submitted in support of this claim, which is for damages to the church edifice and parsonage by heavy gun firing at target practice, in the amount of \$448.05, found to be sustained, and is included in the estimates of the War Department and by said department recommended to be allowed and paid.

Letters and communications relative to said bill are hereto attached and made a part of this report.

WAR DEPARTMENT,
OFFICE OF THE QUARTERMASTER GENERAL,
Washington, February 8, 1912.

Hon. ROBERT O. HARRIS, M. C.,
House of Representatives, Washington, D. C.

MY DEAR SIR: In reply to your letter of the 7th instant, received this date, requesting information regarding the status of the claim of the Methodist Episcopal Church of Hull, Mass., for damages by heavy gunfiring to the church and parsonage, amounting to \$448.05, which amount is included in the estimates of the War Depart-

ment submitted to Congress at its present session, and stating that you find no trace of it in any report or recommendation of this year, I have the honor to inform you that the amount of the claim of the Methodist Episcopal Church of Hull, Mass., for damages to the church edifice and parsonage, \$448.05, is included in the estimate of the War Department now pending before the Committee on Claims, House of Representatives. The estimate was originally referred to the Committee on Military Affairs, House of Representatives, and at the hearing of the Quartermaster General before that committee on the Army appropriation bill, which has been printed by that committee, on page 475 there is a list of claims for damages incurred to private property of citizens which includes 220 claims, amounting to \$30,413.58. On that list, on page 477, second item, appears the claim of the Methodist Episcopal Church of Hull, Mass., referred to, amounting to \$448.05. Since that hearing the item for damage claims has been referred to the Committee on Claims of the House, and it is possible that the list of the claims left with the Committee on Military Affairs was referred to the Committee on Claims.

The claim of the Methodist Episcopal Church of Hull, Mass., has been included in estimates of the War Department submitted to Congress in previous years since it originated, but Congress has failed to make any appropriation for the settlement of this class of claims. When an appropriation is made by Congress, prompt action will be taken by this office for the payment of the claim of the Methodist Episcopal Church of Hull, Mass.

Very respectfully,

J. B. ALESHIRE,
Quartermaster General, United States Army.

[House Document No. 1242, Sixty-first Congress, third session.]

TREASURY DEPARTMENT,
Washington, December 31, 1910.

SIR: I have the honor to transmit herewith, for the consideration of Congress, copy of a communication of the Secretary of War of the 30th instant, submitting a supplemental estimate of appropriation of \$22,802.40 for the settlement of 183 claims for damage to and loss of private property belonging to citizens of the United States, Hawaii, and the Philippine Islands, due to heavy gun firing, target practice, maneuvers, etc., and an estimate of appropriation in the sum of \$5,000 to provide for the prompt payment of like claims that may accrue from time to time.

The Secretary of War states the necessity for the submission of these estimates at this time and the reasons why they were not included in his annual estimates submitted to the Congress.

Respectfully,

FRANKLIN MACVEAGH, *Secretary*.

THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.

WAR DEPARTMENT,
Washington, December 30, 1910.

SIR: I have the honor to forward herewith for transmission to Congress a supplemental estimate of an appropriation of \$22,802.40, required by the War Department for the service of the fiscal year ending June 30, 1912, for the settlement of 183 claims for damage to and loss of private property belonging to citizens of the United States, Hawaii, and the Philippine Islands, due to heavy gun firing, target practice, maneuvers, etc., and an estimate of \$5,000 to provide for the prompt payment of like claims that may accrue from time to time.

The submission of these estimates is deemed necessary in order to secure an appropriation for the early settlement of the claims above referred to, 153 of which were included in estimates submitted to the Sixty-first Congress, second session (H. Docs. Nos. 177, 519, 689, and 897), and no action had thereon, and to provide for the future settlement of claims of this character arising as a result of target practice with heavy guns promptly and without the delay incident to an annual estimate and appropriation.

These estimates are not included in the annual estimates of the department submitted to the Treasury Department on October 15 last, as required by law, for the reason that the matter of these claims was not brought to my attention until late in November.

The President has approved the submission of these estimates, as shown by his notation on the estimate proper.

Very respectfully,

J. M. DICKINSON,
Secretary of War.

THE SECRETARY OF THE TREASURY.

Estimates of appropriations required for the service of the fiscal year ending June 30, 1912, by the Quartermaster's Department, United States Army.

WAR DEPARTMENT.

QUARTERMASTER'S DEPARTMENT.

Claims for damages to and loss of private property—

For settlement of claims for damages to and loss of private property belonging to citizens of the United States, Hawaii, and the Philippine Islands that have arisen previous to August 1, 1910. (Act of May 30, 1908, vol. 35, p. 280, sec. 1)..... \$22,802.40

NOTE.—The stated amount of \$22,802.40 is asked for in order to render practicable the settlement of 183 claims now on file in this office and presented previous to August 1, 1910.

These claims embrace damages due to heavy-gun firing and during target practice, damages to fences and growing crops and to trees by troops while engaged in maneuvers, etc. Of the amount now estimated for more than one-half is attributable to heavy-gun firing at Forts Hamilton, N. Y.; Heath, Mass.; Levett, Me.; Banks, Mass.; Wadsworth, N. Y.; Revere, Mass.; Moultrie, S. C.; Winthrop, Mass.; and Miley, Cal. Estimates of appropriation covering 153 of these claims and aggregating \$19,033.14 were submitted to Congress at its last session, as shown by House Documents Nos. 177, 519, 689, and 897, Sixty-first Congress, second session, but they failed to receive favorable consideration.

Authority of the Secretary of War for the submission of an estimate to include the claims previously estimated for, as well as those since received in this office, was not received in time to render practicable the submission of this estimate with those for the fiscal year 1912. (*J. B. Aleshire, Quartermaster General, United States Army.*)

For payment of claims for damages to and loss of private property incident to the training, practice, and operations of the Army that may accrue from time to time, to be immediately available and to remain available until expended: *Provided*, That settlement of such claims shall be made by the Auditor for the War Department, upon the approval and recommendation of the Secretary of War, where the amount of damages has been ascertained by the War Department, and payment thereof will be accepted by the owners of the property in full satisfaction of such damages (submitted)..... 5,000.00

Approved.

WM. H. TAFT.

NOTE.—In connection with the foregoing estimates attention is invited to page 36 of the Annual Report of the Secretary of War for the fiscal year 1910, reading as follows:

"It happens every year in the service of the Army that claims arise against the War Department for damage done to private property. These claims may naturally be grouped into three classes: (1) Those which are bound to arise every year, (2) those which arise at less frequent intervals, and (3) those whose occurrences are occasional and can not be foreseen. Of the first class is damage done by the firing of the heavy guns of our seacoast defenses. Every year when target practice takes place in some localities it is unavoidable that window glass will be shattered and plastering knocked down in houses belonging to citizens in the vicinity. Sometimes window and door frames and doors are thrown out of plumb by the concussion. It has been the custom to have claims for such damages immediately investigated and the actual amount of damage determined and reported upon by a board of competent officers, and the conclusions of the department, based upon those reports, are submitted to Congress with recommendation for settlement of the claims. It generally happens, however, that several years elapse before an appropriation is made, so that in addition to the annoyance and inconvenience caused by the firing of the guns citizens whose property is damaged are compelled to submit to delay in reimbursement for the damage inflicted. Every year the War Department is importuned to do away with target practice with the big guns at various places on the ground of injury done to private property. As a rule requests of this kind must, of course, be denied, practice with the guns being essential to the maintenance of the efficiency of the Coast Artillery.

"Every effort is made by the department to reduce to the minimum the discomfort caused to citizens by the heavy firing. In line with this effort it is desirable that at least in those cases where it is known that damage will be inflicted annually, provision should be made by Congress for the prompt reimbursement of the damages to

private property as ascertained by boards of Army officers appointed for the purpose, their reports to be subject to approval by the Secretary of War. Such a course was authorized by the act of April 23, 1904 (33 Stat., 265), making provision for joint Army and Militia encampments, maneuvers, and field instructions, which worked well and avoided much of the dissatisfaction caused to citizens in previous encampments and maneuvers. This provision reads as follows:

"* * * For purchase of supplies for the Quartermaster's and Ordnance Departments, including regular supplies, incidental expenses, barracks, and quarters, transportation of the militia and its supplies, clothing, and equipage, leases of land, and damages of property, six hundred thousand dollars."

"It is hoped that some adequate legislation of a similar character may be made for the claims above indicated. At the present time there are 150 cases, amounting to \$18,558.14, which have been investigated by this department and recommended to Congress for settlement. They are published in House Document No. 177, Sixty-first Congress, second session; House Document No. 519, Sixty-first Congress, second session; and House Document No. 897, Sixty-first Congress, second session. They are all for damages incident to the training, practice, and operations of the Army—most of them for damage caused by the firing of heavy guns. Some of them have been before Congress since December, 1908, and no provision has yet been made for the payment of any of them. There are several additional claims now pending in the department which have been investigated and will be reported to Congress at the present session. The claimants in all these cases have been advised from time to time of the status of their claims, and that settlement awaits an appropriation by Congress. Naturally, however, they look to the War Department to expedite the matter as being immediately responsible for the damage. In submitting the report above referred to, I feel that it is incumbent upon me to submit an estimate for an amount large enough to cover the payment of all such claims as remain unpaid, where the amount of damages has been ascertained by the War Department and payment thereof will be accepted by the owners of the property in full satisfaction of such damages, and also to suggest a small additional appropriation sufficient for the ensuing fiscal year."

[H. R. 13290, Sixty-second Congress, first session.]

A BILL To reimburse Gaston R. Poitevin for property lost by him while assistant light keeper at East Pascagoula River (Mississippi) light station, as recommended by the Lighthouse Board.

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized to pay to Gaston R. Poitevin, of the city of Pascagoula, Jackson County, Mississippi, out of any money in the Treasury of the United States not otherwise appropriated, the sum of four hundred and fifty-nine dollars and twenty cents for property losses sustained by him during a storm on September twenty-seventh, nineteen hundred and six, while assistant light keeper of the East Pascagoula River (Mississippi) lighthouse station; all of which losses are particularly described in the annual report of the Lighthouse Board to the Secretary of Commerce and Labor for the fiscal year ending June thirtieth, nineteen hundred and seven, on pages seven to thirteen, inclusive, to which reference is hereby made for further particulars.

Mr. Dickinson, from the Committee on Claims, submitted the following report (to accompany H. R. 13290):

The Committee on Claims, to whom was referred the bill (H. R. 13290) to reimburse Gaston R. Poitevin for property lost by him while assistant light keeper at East Pascagoula River (Miss.) light station, as recommended by the Lighthouse Board, having considered the same, report thereon with a recommendation that it do pass.

The committee reports a brief statement of the facts and department recommendations concerning said loss and damages; the committee hereto embodies and makes a part of this report the following from the Annual Report of the Lighthouse Board to the Secretary of Commerce and Labor for the fiscal year ending June 30, 1907:

During the hurricane of September 27, 1906, the light station, East Pascagoula River, Miss., was destroyed, and Mr. Gaston R. Poitevin, assistant keeper, sustained serious losses of personal property, as the dwelling occupied by him was entirely swept away. These losses, amounting to \$459.20, were examined and approved, and the board recommends that an appropriation of that amount be made to reimburse him.

[H. R. 13087. Sixty-second Congress, first session.]

A BILL For the relief of Jeanie G. Lyles.

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Jeanie G. Lyles, of Anne Arundel County, Maryland, mother of Lieutenant De Witt C. Lyles, late of the Twentieth Regiment United States Infantry, the sum of fifteen hundred dollars, which sum is hereby appropriated for the invention, by the said Lieutenant De Witt C. Lyles, of an attachment to the packsaddle frames used by the United States Army; and for the further use by the Army from said date of said invention there shall not be paid any further sum.

Mr. H. Robert Fowler, from the Committee on Claims, submitted the following report (to accompany H. R. 13087):

The Committee on Claims, to whom was referred the bill (H. R. 13087) for the relief of Jeanie G. Lyles, having considered the same, report thereon with a recommendation that it do pass with amendment.

In line 8 strike out the words "two thousand five" and insert in lieu thereof "fifteen."

The right of the claimant to the sum allowed and recommended by this committee is based upon an invention of an attachment to a packsaddle for carrying a rapid-firing gun on horseback, by First Lieut. De Witt C. Lyles of the Twentieth United States Infantry, who died in the general hospital, Washington Barracks, December 9, 1903, and who was a son of the claimant. This young officer, while serving in the Philippine war, was afterwards required to go into rough and mountainous country to fight the enemy, and was forced to carry his rapid-firing gun on horseback, which was very unhandy. To obviate the difficulty he invented a frame, or attachment to a saddle, which was adopted by the War Department, and has been in general use ever since as a military device for carrying rapid-firing guns overland on horseback.

This invention was patentable, but no patent was taken out by the inventor; and as it does not appear from the evidence that he spent any time from his military duties in working out this invention, and inasmuch as the Government has received as much benefit from its use as it could have done had it been patented, in which case the Government would have been required to pay the inventor a royalty, it is deemed by the committee that it is right and proper for the Government of the United States to pay about what the royalty would be had the invention been patented. In order to arrive at an equitable allowance the whole question has been submitted to the War Department, and we are advised by that department that \$2,500 would not be excessive, with a recommendation to pay that amount. The committee did not agree altogether with this recommendation, but in their better judgment they have recommended the payment, in full satisfaction of the claim, of the sum of \$1,500.

The committee was further prompted in making this recommendation by the feeling that we ought to encourage inventions useful to the Army by those who are engaged in our military service by paying whatever is reasonable for such inventions. It was estimated in 1910 by the War Department that more than 3,000 of these packsaddle attachments were either in use or ordered to be put in use in the United States Army.

The claimant is shown to be dependent upon the inventor for support.

TO CHANGE THE RULES OF THE HOUSE TEMPORARILY FOR THE CONSIDERATION OF H. R. 21279.

APRIL 18, 1912.—Ordered to be printed.

Mr. HENRY, from the Committee on Rules, submitted the following

REPORT.

[To accompany H. Res. 444.]

The Committee on Rules, to whom was referred the resolution (H. Res. 444) to change the rules of the House temporarily for the consideration of H. R. 21279, have considered the same and report the following substitute with the recommendation that it be adopted:

Resolved, That after the adoption of this rule it shall be in order in the consideration of H. R. 21279, a bill making appropriations for the service of the Post Office Department for the fiscal year ending June thirtieth, nineteen hundred and thirteen, and for other purposes, to consider the new legislation on said bill hereinafter mentioned notwithstanding the general rules of the House.

First. On pages eighteen and nineteen the following proviso:

“Provided further, That after the first of July, nineteen hundred and seventeen, the Postmaster General shall not approve or allow to be used or pay for any full railway post-office car not constructed of steel, steel underframe, or equally indestructible material, and not less than twenty per centum of the new equipment shall be put into operation annually after July, nineteen hundred and twelve; and after the passage of this act no contract shall be entered into for the construction of steel underframe cars.”

Second. In the order in which the sections come in said bill, sections two, three, four, five, six, seven, eight, nine, ten, eleven, and twelve shall be in order as follows:

“Sec. 2. No contract for furnishing supplies to the Post Office Department or the postal service shall be made with any person who has entered, or proposed to enter, into any combination to prevent the making of any bid for furnishing such supplies, or to fix a price or prices therefor, or who has made any agreement, or given or performed, or promised to give or perform, any consideration whatever to induce any other person not to bid for any such contract, or to bid at a specified price or prices thereon; and if any person so offending is a contractor for furnishing such supplies, his contract may be annulled, and the person so offending shall be liable to a fine of not less than one hundred dollars nor more than five thousand dollars, and may be further punished, in the discretion of the court, by imprisonment for not less than three months nor more than one year.

“BONDS OF NAVY MAIL CLERKS.

“Sec. 3. That every Navy mail clerk and assistant Navy mail clerk shall give bond to the United States in such penal sum as the Postmaster General may deem sufficient for the faithful performance of his duties as such clerk.

"SEC. 4. When, after a weighing of the mails for the purpose of readjusting the compensation for their transportation on a railroad route, mails are diverted therefrom or thereto, the Postmaster General may, in his discretion, ascertain the effect of such diversion by a weighing of such mails for such number of successive working days as he may determine, and have the weights stated and verified to him as in other cases, and readjust the compensation on the routes affected accordingly: *Provided*, That no readjustment shall be made unless the diverted mails equal at least ten per centum of the average daily weight on any of the routes affected.

"SEC. 5. That on and after July first next following the passage of this act letter carriers in the City Delivery Service and clerks in first and second class post offices shall be required to work not more than eight hours a day: *Provided*, That the eight hours of service shall not extend over a longer period than ten consecutive hours, and the schedules of duty of the employees shall be regulated accordingly.

"That in cases of emergency, or if the needs of the service require, letter carriers in the City Delivery Service and clerks in first and second class post offices can be required to work in excess of eight hours a day, and for such additional services they shall be paid extra in proportion to their salaries as fixed by law.

"That should the needs of the service require the employment on Sunday of letter carriers in the City Delivery Service and clerks in first and second class post offices, the employees who are required and ordered to perform Sunday work shall be allowed compensatory time on one of the six days following the Sunday on which they perform such service.

"SEC. 6. That no person in the classified civil service of the United States employed in the postal service shall be removed therefrom except for such cause as will promote the efficiency of said service and for reasons given in writing, and the person whose removal is sought shall have notice of the same and of any charges preferred against him, and be furnished with a copy thereof, and also be allowed a reasonable time for personally answering the same in writing; and affidavits in support thereof; but no examination of witnesses nor any trial or hearing shall be required except in the discretion of the officer making the removal; and copies of charges, notice of hearings, answer, reasons for removal, and of the order of removal shall be made a part of the records of the proper department or office, as shall also the reasons for reduction in rank or compensation; and copies of the same shall be annually reported to Congress and furnished to the person affected upon request, and the Civil Service Commission also shall, upon request, be furnished copies of the same or the originals thereof: *Provided, however*, That membership in any society, association, club, or other form of organization of postal employees having for its objects, among other things, improvements in the condition of labor of its members, including hours of labor and compensation therefor and leave of absence, by any person or groups of persons in said postal service, or the presenting by any such person or groups of persons of any grievance or grievances to the Congress or any Member thereof shall not constitute or be cause for reduction in rank or compensation or removal of such person or groups of persons from said service.

"SEC. 7. That after June thirtieth, nineteen hundred and twelve, the Postmaster General may appoint railway postal clerks in such manner and of such respective grades and salaries as may be provided for in the annual appropriation acts for the service of the Post Office Department, for the purpose of sorting and distributing the mail in railway post offices, railway post-office terminals, and transfer offices, and for service in the offices of division superintendents and chief clerks, and as transfer clerks and such other services as may pertain to the Railway Mail Service. Such clerks shall be designated as railway postal clerks and shall be divided into the following grades, with corresponding salaries per annum not exceeding the following rates:

"Grade one, at not exceeding nine hundred dollars.

"Grade two, at not exceeding one thousand dollars.

"Grade three, at not exceeding one thousand one hundred dollars.

"Grade four, at not exceeding one thousand two hundred dollars.

"Grade five, at not exceeding one thousand three hundred dollars.

"Grade six, at not exceeding one thousand four hundred dollars.

"Grade seven, at not exceeding one thousand five hundred dollars.

"Grade eight, at not exceeding one thousand six hundred dollars.

"Grade nine, at not exceeding one thousand seven hundred dollars.

"Grade ten, at not exceeding one thousand eight hundred dollars.

"Chief clerks, at not exceeding two thousand dollars.

"The Postmaster General shall classify and fix the salaries of railway postal clerks, under such regulations as he may prescribe, in the grades provided by law; and for the purpose of organization and of establishing maximum grades to which promotions may be made successively as hereinafter provided, he shall classify railway post offices, terminal railway post offices, and transfer offices with reference to their character and

importance in three classes, with salary grades as follows: Class A, nine hundred dollars to one thousand two hundred dollars; class B, nine hundred dollars to one thousand three hundred dollars; and class C, nine hundred dollars to one thousand five hundred dollars. He may assign to the offices of division superintendents and chief clerks such railway postal clerks as may be necessary and fix their salaries within the grades provided by law without regard to the classification of railway post offices.

"After June thirtieth, nineteen hundred and thirteen, clerks in class A shall be promoted successively to grade three, clerks in class B shall be promoted successively to grade four, and clerks in class C shall be promoted successively to grade five at the beginning of the quarter following the expiration of a year's satisfactory service in the next lower grade. Promotions above these grades within the maximum grades of the classification may be made in the discretion of the Postmaster General for meritorious service. No promotion shall be made except upon evidence satisfactory to the Post Office Department of the efficiency and faithfulness of the employee during the preceding year.

"A clerk of any grade of any classification of railway post offices, terminal railway post offices, transfer offices, or in the office of a division superintendent or chief clerk may be transferred and assigned to any classification of railway post offices, terminal railway post offices, transfer offices, or to an office of a division superintendent or chief clerk under such regulations as the Postmaster General may deem proper.

"Clerks assigned as clerks in charge of crews consisting of more than one clerk shall be clerks of grades five to ten, inclusive, and may be promoted one grade only after three years' continuous, satisfactory, and faithful service in such capacity.

"A clerk who fails of promotion because of unsatisfactory service may be promoted at the beginning of the second quarter thereafter or any subsequent quarter for satisfactory and faithful service during the intervening period.

"Clerks in the highest grade in their respective lines or other assignments shall be eligible for promotion to positions of clerks in charge in said lines or corresponding positions in other assignments, and clerks assigned as assistant chief clerks and clerks in charge of crews consisting of more than one clerk, either assigned to the line, the transfer service, or to a terminal railway post office, and clerks in the highest grades in offices of division superintendents in their respective divisions shall, after two years of continuous service in such capacity, be eligible for promotion to positions of chief clerks in said division for satisfactory, efficient, and faithful service during the preceding two-year period under such regulations as the Postmaster General shall prescribe.

"Whenever a clerk shall have been reduced in salary for any cause he may be restored to his former grade or advanced to an intermediate grade at the beginning of any quarter following the reduction for satisfactory and faithful service during the intervening period.

"In filling positions below that of chief clerk no clerk shall be advanced more than one grade in a period of a year.

"All clerks appointed to the Railway Mail Service and to perform duty on railway post offices shall reside at some point on the route to which they are assigned; but railway postal clerks appointed prior to February twenty-eighth, eighteen hundred and ninety-five, and now performing such duty shall not be required to change their residences, except when transferred to another line: *Provided, however,* That because of the reclassification herein provided no clerk shall receive less salary than before the passage of this act. All laws and parts of laws in conflict herewith are hereby repealed.

"SEC. 8. That hereafter postage shall be paid on matter of the fourth class at the rate of twelve cents per pound, except as herein provided.

"That no article, package, or parcel shall be mailable as matter of the fourth class which exceeds eleven pounds in weight, except as herein provided.

"That on each and all rural mail-delivery routes of the United States the postmaster at the starting point of such route shall, until June thirtieth, nineteen hundred and fourteen, receive and deliver to the carrier or carriers of said routes all articles, parcels, or packages not prohibited to the mails by law and falling under the definition of fourth-class matter and not weighing in excess of eleven pounds for transportation and delivery on said routes only; and the carriers shall receive at intermediate points on all rural routes such mail matter of the fourth class for delivery on their respective routes only.

"That postage shall be paid on all articles, parcels, or packages entitled to transportation under the provisions of this act as matter of the fourth class on rural mail-delivery routes only at the following rates: One cent for each two ounces or less, two cents for more than two ounces but not more than four ounces, three cents for more than four ounces but not more than eight ounces, four cents for more than eight ounces but not more than twelve ounces, five cents for more than twelve ounces but not more than a

pound, and two cents per pound for each additional pound or fraction thereof up to and including a total of eleven pounds. That the Postmaster General shall make all rules and regulations necessary and not inconsistent with law to the proper execution of this act.

"That for the purpose of a full and complete inquiry and investigation into the feasibility and propriety of the establishment of a general parcel-post commission of six persons, three of whom shall be appointed by the Speaker of the House of Representatives and three by the President of the Senate, is constituted, with full power to appoint clerks, stenographers, and experts to assist them in this work. They shall review the testimony already taken on the subject of parcel post by Senate and House committees and take such other testimony as they deem desirable. For the purpose of defraying the expenses of this commission the sum of twenty-five thousand dollars is hereby appropriated, out of the moneys in the Treasury not otherwise appropriated.

"Sec. 9. That from and after the first day of July, nineteen hundred and twelve, the compensation of rural letter carriers for carrying the mail six days each week on standard routes of twenty-four miles in length shall be the sum of one thousand and seventy-four dollars per annum, to be paid monthly; and on routes exceeding twenty-four miles in length, the sum of forty-four dollars and seventy-five cents per mile per annum for each mile in excess of twenty-four miles; and on routes under twenty-four miles in length, a corresponding reduction of compensation per mile per annum shall be paid; on routes carrying the mail three days of each week of the same length as above, the pay shall be one-half the compensation there provided.

"Sec. 10. That after June thirtieth, nineteen hundred and twelve, experimental mail delivery may be established, under such regulations as the Postmaster General may prescribe, in towns and villages having post offices of the second or third class that are not by law now entitled to free-delivery service, and the sum of one hundred thousand dollars is hereby appropriated to enable postmasters to employ the necessary assistance to deliver the mail in such villages, and the amount to be expended at any office shall not exceed one thousand eight hundred dollars a year.

"Sec. 11. That the sum of four hundred thousand dollars, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to enable the Postmaster General to continue the establishment, maintenance, and extension of postal savings depositories, including the reimbursement of the Secretary of the Treasury for expenses incident to the preparation, issue, and registration of the bonds authorized by the act of June twenty-fifth, nineteen hundred and ten: *Provided*, That out of such sum an amount not to exceed ten thousand dollars may be expended for the rental, if necessary, of quarters for the central office of the Postal Savings System in the District of Columbia: *And provided further*, That all expenditures in the Postal Savings System shall be audited by the Auditor for the Post Office Department: *And provided further*, That the Postmaster General shall select and designate the post offices which are to be postal savings depository offices, and shall appoint and fix the compensation of such superintendents, inspectors, and other employees as may be necessary in conducting, supervising, and directing the business of such offices, including the employees of a central office at Washington, District of Columbia, and shall prescribe the hours during which postal savings depository offices shall remain open. He shall also from time to time make rules and regulations with respect to the deposits in and withdrawals of moneys from postal savings depositories and the issue of pass books or such other devices as he may adopt as evidence of such deposits or withdrawals. The provisions of the act approved June twenty-fifth, nineteen hundred and ten, are hereby modified accordingly. The unexpended balance of the appropriation for the fiscal year nineteen hundred and twelve of five hundred thousand dollars made by section five of the act approved March fourth, nineteen hundred and eleven, for the Postal Savings System, is hereby reappropriated and made available during the fiscal year nineteen hundred and thirteen for the purposes mentioned in this section.

"Sec. 12. That the provision in the act making appropriations for the service of the Post Office Department, approved May twenty-seventh, nineteen hundred and eight, authorizing the designation of enlisted men of the Navy as Navy mail clerks and assistant Navy mail clerks, be amended to include in such designation enlisted men of the Marine Corps, by the insertion in the said provision, after the words 'United States Navy,' the words 'or Marine Corps.'"

It shall also be in order, notwithstanding the general rules of the House, to consider in connection with said H. R. 21279 the following:

First. In connection with section 8 of the bill the following:

That in order to promote the postal service and more efficiently regulate commerce between the several States, the Territories of the United States, the District

of Columbia, the possessions of the United States, and foreign nations the contracts and agreements and arrangements of the several express companies with the several railroad companies or other common carriers of the United States, its Territories, and the District of Columbia relating to the collecting, receiving, caring for, storing, dispatching, forwarding, and delivering by such railroad company or other common carriers of parcels, packets, and packages, and other express matter, as well as the franchises, operating equipment, cars, vehicles, horses, buildings, leases, as lessees, of buildings used in the conduct of the express business, and all other property or rights and privileges owned and used by such express companies as necessary and appropriate to such collecting, receiving, caring for, storing, dispatching, forwarding, and delivering of such parcels, packets, packages, and express matter, are hereby declared to be, and the same are hereby, condemned and appropriated to and for the United States of America, to be used by it for such public purposes as may be proper in its various functions. That the words "express company" as used in this act, shall be construed to include any corporation, joint-stock company, association, partnership, and individual, as far as engaged in the collecting, receiving, caring for, storing, dispatching, forwarding, and delivering of parcels, packets, packages, and other express matter, by rail or water. And the words "railroad" or "railway company" shall be construed to include any transportation agency by rail or water as far as used as a post route or in carrying express matter. On and after July first, nineteen hundred and thirteen, any railroad, steamship, or other transportation agency having a contract with any express company subject to this act shall transport and carry for the Post Office Department all matter transportable under said contract, and shall execute and perform with respect to such Post Office Department all such duties as have been customary under such contract in relation to the express company or companies named therein, and shall permit its agents and employees when required to continue to discharge such services in respect thereto, and upon like terms, without interference on its part.

DUTY OF PRESIDENT AND POSTMASTER GENERAL.

SEC. 2. That it shall be the duty of the President on the first day of July, nineteen hundred and thirteen, to take charge and possession of all the property of such express companies condemned and appropriated by this act, in the name of and by the authority of the United States of America; and thereupon it shall be the duty of the Postmaster General to employ said property and facilities in conjunction with the postal service, and to henceforth conduct said express service.

POWERS OF POST OFFICE DEPARTMENT.

SEC. 3. That it shall be the duty of the Postmaster General to make and promulgate such rules and regulations for carrying into effect the provisions of this act as he may deem necessary, not in conflict with the Constitution or laws of the United States: *Provided*, That all such rules and regulations shall be subject to review and revision by the Interstate Commerce Commission and the courts in like manner and with like effect as if said rules and regulations had been made and promulgated by a railway company or other common carrier.

COMPENSATION FOR RAILROAD TRANSPORTATION.

SEC. 4. That during the months of August and December, nineteen hundred and twelve, and April, nineteen hundred and thirteen, the weights of matter carried over the respective railroads, under contracts with the express companies during the pendency thereof, shall be taken for each railroad company in respect to such contract, under regulations to be provided by the Post Office Department; and the amount of money paid for the carriage thereof to the railroad shall be divided by the mileage of such railroad over which such matter is carried; and thereafter the Postmaster General shall, if the railroad company consent thereto, cause to be paid to such railroad company the amount per mile owing to such railroad under such contract as thus computed; and thereafter annually at such times as may be determined upon by the Postmaster General such matter shall be weighed, and the railroad company shall be paid monthly for the excess weight carried by it, over the first weighing herein provided, such sums as may be agreed upon for such excess weight; but if such Postmaster General and such railroad company shall fail to agree upon a basis of compensation for such excess weights, then the same shall be paid for according to the terms and provisions of the contract condemned in such case.

RENEWAL OF TRANSPORTATION CONTRACTS.

SEC. 5. That at the expiration or termination of any contract between an express company and a railroad condemned by this act (or at any time before, if such railroad company shall consent thereto) the Postmaster General may contract with such railroad company for the transportation of postal express matter; and if deemed advantageous, upon cars provided by the postal department, which may be transferred without unloading onto the lines of other railroad companies, at such rates of compensation and upon such principles of computation thereof as may be agreed upon with the right of review and revision of the same by the Interstate Commerce Commission as hereinafter provided. And in case the Postmaster General and such railroad company, after the expiration or termination of the contract with an express company, shall fail to agree upon the terms and provisions of the renewal thereof, they shall submit their respective contentions with reference thereto to the said Interstate Commerce Commission, which shall thereupon have plenary power to declare the terms and provisions which said contract shall contain; but from any determination with respect to any such contract the terms and provisions of which have been so declared by the said Interstate Commerce Commission an appeal shall lie to the Court of Commerce, which shall enjoy like power to amend and revise the same.

APPRAISEMENT OF EXPRESS COMPANIES.

SEC. 6. That immediately after the passage of this act it shall be the duty of the Interstate Commerce Commission to appraise the value of the property condemned and appropriated by the United States of America in section one of this act and award to the respective express companies just compensation therefor. Each commissioner shall take oath to justly perform such duties before some judge of the courts of the United States. The said Interstate Commerce Commission shall have power, and it shall be its duty to summon witnesses, with books and papers, before it, for either of the parties, and require such witnesses to testify, and it shall give to each party a full hearing; and it shall be the duty of such commission, on or before the seventh day of May, nineteen hundred and thirteen, to file a separate award of appraisement for each express company condemned under this act, with respect to the property condemned, and give notice of the filing of such award to the Postmaster General and to such express company. And if either party shall be dissatisfied with the amount of said award, the same may, upon appeal by either party, be reviewed and revised by the Court of Commerce, sitting as a court of review, with respect thereto; and from its determination a further appeal may be taken by either of the parties to the Supreme Court of the United States.

PROVISIONS FOR COMPENSATION OF EXPRESS COMPANIES.

SEC. 7. That the Secretary of the Treasury is hereby authorized and directed to make payment to such express companies of the money adjudged to be due them, as aforesaid, out of the Treasury of the United States, and said express companies shall be entitled to payment of such final award as compensation from the Treasury of the United States and the Treasurer thereof, and the amounts of said award are hereby appropriated to the parties entitled thereto out of the Treasury of the United States.

DUTIES OF COMMON CARRIERS.

SEC. 8. That any willful failure or refusal by any railroad company or other common carrier, subject to the provisions of this act, to perform any service required by this act or by any lawful rule or regulation made and promulgated by the Postmaster General in pursuance of this act, or of any lawful ruling, finding, or determination of the Interstate Commerce Commission, or of any order, judgment, or decree of any court of the United States of competent jurisdiction shall constitute a misdemeanor which, upon indictment and conviction, shall be punished by a fine not exceeding one thousand dollars.

POWERS OF POSTMASTER GENERAL.

SEC. 9. That the Postmaster General shall have power to rent, lease, or purchase real estate and personal property, supplies, cars, and equipment for use by his department for the purposes of this act. He shall have power to condemn in the name of the United States any property, real, personal, or mixed, which he may deem necessary for the efficient operation of the service, but the said Interstate Commerce Commission shall first value and file its award therefor as hereinbefore specified.

Second. On page 25, at the end of line 7 of H. R. 21279, the following:

That for the purposes of this act certain highways of the several States, and the civil subdivisions thereof, are classified as follows:

Class A shall embrace roads of not less than one mile in length, upon which no grade shall be steeper than is reasonably and practicably necessary in view of the natural topography of the locality, well drained, with a road track not less than nine feet wide composed of shells, vitrified brick, or macadam, graded, crowned, compacted, and maintained in such manner that it shall have continuously a firm, smooth surface, and all other roads having a road track not less than nine feet wide of a construction equally smooth, firm, durable, and expensive, and continuously kept in proper repair. Class B shall embrace roads of not less than one mile in length, upon which no grade shall be steeper than is reasonably and practicably necessary in view of the natural topography of the locality, well drained, with a road track not less than nine feet wide composed of burnt clay, gravel, or a proper combination of sand and clay, sand and gravel, or rock and gravel, constructed and maintained in such manner as to have continuously a firm, smooth surface. Class C shall embrace roads of not less than one mile in length upon which no grade shall be steeper than is reasonably and practicably necessary in view of the natural topography of the locality, with ample side ditches, so constructed and crowned as to shed water quickly into the side ditches, continuously kept well compacted and with a firm, smooth surface by dragging or other adequate means, so that it shall be reasonably passable for wheeled vehicles at all times. That whenever the United States shall use any highway of any State, or civil subdivision thereof, which falls within classes A, B, or C, for the purpose of transporting rural mail, compensation for such use shall be made at the rate of twenty-five dollars per annum per mile for highways of class A, twenty dollars per annum per mile for highways of class B, and fifteen dollars per annum per mile for highways of class C. The United States shall not pay any compensation or toll for such use of such highways other than that provided for in this section, and shall pay no compensation whatever for the use of any highway not falling within classes A, B, or C. That any question arising as to the proper classification of any road used for transporting rural mail shall be determined by the Secretary of Agriculture. That the compensation herein provided for shall be paid at the end of each fiscal year by the Treasurer of the United States upon warrants drawn upon him by the Postmaster General to the officers entitled to the custody of the funds of the respective highways entitled to compensation under this act.

The provisions of this paragraph shall go into effect on the first day of July, nineteen hundred and thirteen.

Third. After line 15, page 28, of H. R. 21279 the following:

That it shall be unlawful for any person or persons, or association or corporation, to enter or to have entered into the mails of the United States any newspaper, magazine or other periodical of like kind, unless such publication shall have plainly printed in a conspicuous place therein the name or names of the managing editor or managing editors, the name or names of the publisher or publishers, and the name or names of the owner or owners, including all stockholders owning stock of the par value of five hundred dollars or more, of such periodical publication. Any person, association, or corporation who shall violate any provision of this act shall be punished, for each violation of any provision thereof, by a fine of not less than one hundred dollars nor more than one thousand dollars.

On the subject of parcel post and postal express, when reached in order, there shall be 15 hours of general debate, and on the other subjects included in this resolution there shall be 5 hours of general debate, to follow immediately on the adoption of this resolution.





PENSIONS AND INCREASE OF PENSIONS FOR CERTAIN
SOLDIERS AND SAILORS OF THE CIVIL WAR, ETC.

APRIL 19, 1912.—Committed to the Committee of the Whole House and ordered
to be printed.

Mr. ADAIR, from the Committee on Invalid Pensions, submitted the
following

REPORT.

[To accompany H. R. 23557.]

This bill is a substitute for the following House bills referred to
said committee:

H. R. 304. James Mobley.
1063. John C. Carroll.
1204. Samuel Keeble.
1535. William A. Dew.
2017. Benjamin F. Stewart.
2546. William C. Rike.
2716. Burnett W. Davison.
3309. Sunley J. A. Thrift.
3675. George L. Causey.
3828. Abraham H. Burkholder.
4232. William A. Keister.
4245. Hanford N. Smith.
4409. Susanna Laplant.
5459. Edgar A. Whitaker.
5474. Jacob Alonzo Goodale.
5725. Clarence McBratney.
5806. John McCray.
6596. Frederick R. Smith.
7468. Solomon A. Rymer.
7644. William H. Cyrus.
7777. James W. Cowan.
8179. Helena M. Quinn.
8598. Samuel E. Reynolds.
8672. John Miller.
8866. Delora W. Kendall.
8932. Andrew Willis.
9080. John T. Reid.
9354. William Lockridge.
9939. Silas Macey.
10011. David Harrison Colby.
10563. Henry M. Parks.
10675. William Farrell.

H. R. 11039. Wilson H. Claypool.
11189. Charles T. Chandonia.
11219. James L. Pugh.
11309. John N. Preston.
11362. James A. Jones.
11513. Benjamin F. Preble.
11560. Gustave Freudenthal.
11645. Perry Powers.
11715. William P. Anderson.
12020. Aaron C. Day.
12139. James Woolsey.
12174. Robert R. Butts.
12197. Joseph C. Kuebeler, alias
Carl Kuhne.
12224. Henry E. Barto.
12298. Anna Currigan Chamber-
lin.
12302. Richard D. Russell.
12387. John Pierce.
12645. William Morton.
13000. Samuel A. Moore.
13229. Peter Fleming.
13441. James R. Hann.
13527. Benjamin F. Dunivan.
13629. James M. Alderson.
13636. Milton Franklin.
13695. Sallie A. Kirkland.
13755. John Travis, jr.
14142. William I. Jones.
14149. John Parker (1st).
14196. Edward Phelan.
14221. John L. Rood.

- H. R. 14222. Aristarchus Wilson.
 14360. James McMurray, alias
 James Dunne, jr.
 14361. Edward Sleavin.
 14362. Ellen T. White.
 14364. Walter Woodward.
 14437. Hugh A. Thorp.
 14523. William H. Anderson.
 14529. Watson D. Smith.
 14558. Hattie Fordyce.
 14591. Joseph E. Sutherland.
 14764. Daniel C. Boggs.
 14897. Thomas J. Sumner.
 15074. James W. Sweet.
 15106. Archibald G. Boggs.
 15305. Susan J. Bagley.
 15721. Charles E. Fry.
 15734. Edward Kraemer.
 15852. William Creelman.
 15855. James Morrison.
 15894. Wells C. Sherick.
 15899. Patrick Meehan.
 15975. Charles W. Ingersoll.
 16118. Mary A. Noble.
 16130. Joseph B. Stevenson.
 16276. Charles A. Allen.
 16909. Leonard K. Manly.
 16930. Franz Enders.
 17047. Henry Farwick.
 17072. Benton C. Smith.
 17090. George S. Kittridge.
 17121. William E. Leonard.
 17164. Julia H. Abrigg.
 17276. Edward Cotter.
 17399. Josiah M. Brewer.
 17405. Mary A. O'Neill.
 17419. William H. Orcutt.
 17518. Mary A. Barrows.
 17530. William C. Medbery.
 17566. John B. Berry.
 17606. Daniel J. Evans.
 17624. Elizabeth Kemble.
 17711. James Mitchell.
 17909. Christina Bates.
 17989. Josiah H. Newland.
 17990. Edward B. Bishop.
 18083. Joseph Kenney.
 18297. Henry B. Moon.
 18510. John Staiger.
 18544. Theresia Bell.
 18684. Albert N. Hopkins.
 18693. William McKee.
 18699. Ellen R. Stearns.
 18702. Isadore Shell.
 18729. Amos Point.
 18755. Madison Keck.
 18872. William Crouse.
 18873. James H. Owings.
 18923. John Nickolson.
 19012. John R. Estes.
 19108. William A. Young.
 19162. Susan Reed.
 19198. Bridget Shell.
 19263. Charles Dillon.
 19278. James T. Campbell.
 19432. Jacob Spanagel.
- H. R. 19438. George H. Merrill.
 19458. John Flannagan.
 19517. Isaac A. Buker.
 19559. Timothy Pasho.
 19576. James O. Hamilton.
 19589. Mollie C. Zimmerman.
 19606. David T. McFarland.
 19629. Franz Bauman.
 19644. John G. A. Fries.
 19729. Mary F. Doll.
 19937. Richard F. Nunn.
 20077. Lizzie K. Jackson.
 20082. William R. Green.
 20086. Elijah Adams.
 20106. John E. Duvall.
 20235. Elizabeth Morris.
 20279. Thomas E. Hart.
 20332. Julius A. Keeler.
 20365. Frederick Musbach.
 20392. Elhanan Wright.
 20429. Edmund Ganung.
 20434. Clarinda Clement.
 20517. Seymour H. Marshall.
 20600. Augusta Dempsey.
 20663. John H. Stratton.
 20723. Andrew P. Lankvest.
 20791. Moses P. Jewett.
 20809. Lizzie Brooks.
 20851. Ann E. Shetzline.
 20859. Wade H. Pyle.
 20898. William H. H. Hurry.
 20934. Lauderdale L. Taber.
 20956. Edmond Bonneau.
 20966. Carrie Keefer.
 21204. David Cates.
 21209. J. Howard Livingston.
 21250. Louisa J. Lohr.
 21277. Henrietta Dorow.
 21321. Joseph Fields.
 21327. Matilda Vreeland.
 21334. Benjamin Fowler.
 21335. Eli Hovis.
 21341. Jerome French.
 21342. Sylvester B. Van Duser.
 21343. Farington Ferguson.
 21397. Joseph H. Vaill.
 21439. Marcus F. Nesmith.
 21516. George W. Thomas.
 21567. William J. D. Pope.
 21690. Ann Fagan.
 21739. Samuel W. McElderry.
 21797. Emanuel C. Coleman.
 21876. David R. Hunter.
 21917. Joseph V. Wilkinson.
 21933. Sarah J. Davis.
 21989. George A. Howell.
 22029. Joshua Suiter.
 22106. George W. Oldham.
 22107. William Kautz.
 22232. Alexander Chisholm.
 22233. Jacob Howard.
 22379. Albert White.
 22392. William E. Howlett.
 22412. Robert W. Clark.
 22425. David Cheney.
 22465. Daniel C. Joslyn.

H. R. 22514. James Corrigan.
 22566. Patrick H. Cronin.
 22599. Edward S. Bregg.
 22628. John S. Humphreys.
 22672. Margaret Maynard.
 22710. William A. Moffitt.
 22739. Priscovia Robinson.
 22796. Aaron G. Armstrong, alias
 Charles Dunmore.
 22860. Henrietta S. Hubbell.

H. R. 22924. David Tipton.
 22956. John Hartman.
 22972. James Rice.
 22980. Aloysius Stulz.
 23137. Stephen S. Lewis.
 23175. Joseph Veo.
 14144. Andrew McDowell.
 16351. John Stabo.
 21103. Thomas J. McMullen.
 22112. James Flinn.

The following are the facts ascertained by the committee concerning the case of each beneficiary in said bills and the conclusions of the committee as to the proper amount of pension or increases which should be granted:

H. R. 304. James Mobley, aged 68 years, served as a private in Company G, Fifty-fourth Regiment Kentucky Infantry, from August 7, 1862, to September 11, 1863, and from September 18, 1863, to September 1, 1865 (three years). Address, State Soldiers' Home, Lafayette, Ind.

He is pensioned under the act of June 27, 1890, at \$12 per month by reason of disease of heart, injury to right hip, and general debility.

The pensioned disabilities were shown by medical examination of May 4, 1898.

Dr. Warren R. King testifies that soldier is suffering from valvular disease of heart, disease of stomach, fracture of right leg, and rheumatism, which totally disable him for manual labor.

Testimony shows no other support than his pension of \$12 a month; he is an inmate of a soldiers' home.

An increase to \$30 is recommended.

H. R. 1063. John C. Carroll, aged 68 years, served as a private in Company A, Second Regiment Tennessee Infantry, from August 10, 1861, to October 6, 1864 (three years and two months). Address, Kingston, Tenn.

He is pensioned under the act of June 27, 1890, at \$12 per month by reason of injury of left arm and disease of right eye. Claim under general law rejected October 26, 1888. Last medical examination, October 17, 1895, shows pensioned causes.

Dr. J. B. Goodwin, March 7, 1912, certifies that he has treated soldier for rheumatism causing enlargement of knee joints and joints of hands so much so as to render him unable to perform manual labor.

Two neighbors say soldier's farm is a poor one, on which he owes \$1,000; that after paying taxes and expenses the farm yields little or nothing.

The county treasurer certifies that soldier has assessed to him 121 acres of land valued at \$700, taxes, \$11.90.

J. K. Parker testifies that he would not rent the farm at all, that it is worn out, run down, dilapidated, and not worth more than \$700; that soldier has never paid for his place in full and never can.

An increase to \$30 is recommended.

H. R. 1204. Samuel Keeble, aged 68 years, served as a private in Company G, Third Regiment Tennessee Volunteer Infantry, from February 10, 1862, to February 23, 1865 (3 years and 13 days), and

is now a pensioner under the act of July 14, 1862, at \$17 per month on account of gunshot wound of left hip, nasopharyngeal catarrh, and slight deafness of both ears, resulting in severe deafness of left ear and slight of right ear.

Address, Friendsville, Tenn.

Board of surgeons, June 15, 1910, found pensioned causes, and rated at \$22 per month.

Medical testimony reports pensioned causes as having increased.

Other testimony is that applicant is wholly dependent upon his pension for a support.

An increase to \$36 a month is recommended.

H. R. 1535. William A. Dew, aged 68 years, served as a private in Company F, Sixth Regiment Illinois Cavalry, from October 1, 1861, to November 5, 1865 (four years and one month), and is now a pensioner under the act of July 14, 1862, at \$24 per month on account of sunstroke and resulting disease of heart and double inguinal hernia, allowed January 10, 1898, since which date he has five times applied for increase and been rejected. In 1905 he appealed from rejections, but action of Bureau of Pensions was affirmed by the Secretary of the Interior.

Address, Stonefort, Ill.

Medical examinations July 15, 1908, rated the pensioned disabilities at \$30.

Dr. T. J. Osburn and Dr. N. G. Osburn, January 1, 1912, testify that pensioner has been treated for several years past for disease of heart, double inguinal hernia, disease of spine and kidneys, which disabilities, or either of them, totally disqualify him for manual labor; that he can not care for his person, and has a nurse day and night. Further, soldier is a very poor man, and has no income but his pension to support himself, wife, and two small children.

Two neighbors say soldier lives in a small house worth \$300, mortgaged for \$260; that the only support he has for himself and family is his pension of \$24 a month; that he has the attendance of a nurse day and night.

An increase to \$40 is recommended.

H. R. 2017. Benjamin F. Stewart, aged 66 years, served as a private and corporal in Company K, Thirty-eighth Regiment Indiana Volunteer Infantry, from July 25, 1863, to February 27, 1864, and from February 20, 1864, to July 15, 1865 (1 year 11 months and 17 days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$8 per month by reason of slight deafness of both ears.

Address, Fort Branch, Ind.

Board of surgeons, June 7, 1905, found pensioned disabilities.

Medical testimony is that applicant has enterocolitis; is unable to do manual labor.

Other testimony is that applicant has property assessed at \$395. There is attached a statement by the sheriff of Gibson County that on October 28, 1911, he sold, under order of the court, 5 acres of land belonging to the applicant and his wife.

An increase to \$30 a month is recommended.

H. R. 2546. William C. Rike, aged 66 years, served as a private in Company G, Ninety-fourth Regiment Illinois Volunteer Infantry, and in Company G, Thirty-seventh Regiment Illinois Volunteer Infantry, from February 15, 1864, to May 15, 1866 (two years and three months), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$10 per month by reason of rheumatism, left inguinal hernia, impaired use of right arm.

Address, Bloomington, Ill.

Board of surgeons, April 17, 1907, found rheumatism, epilepsy, hernia, and affection of right arm.

Medical testimony is that applicant is now insane and confined in an institution.

The Member introducing the bill states that the applicant is very poor, having no property whatever.

An increase to \$30 a month is recommended.

H. R. 2716. Burnett W. Davison, aged 65 years, served as a private and corporal in Company B, One hundred and twelfth Regiment New York Volunteer Infantry, and in Company D, Twenty-first Regiment Volunteer Relief Corps, from August 6, 1862, to November 22, 1865 (3 years 3 months and 16 days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of July 14, 1862, at \$6 per month by reason of injury of right knee.

Address, 1914 Aldrich Avenue, South Minneapolis, Minn.

Board of surgeons, January 11, 1899, found injury of right knee and lesion of spinal cord.

Medical testimony is that applicant has locomotor ataxia and is unable to do manual labor.

Other testimony is that applicant has no real property, and his personal property is limited to a few household goods. He states that he acts as janitor and receives about \$20 a month. He has a pension of \$12 a month. An increase to \$24 is allowed.

H. R. 3309. Sunley J. A. Thrift, aged 64 years, served as a private in Company I, Ninth Regiment Indiana Volunteer Cavalry, from December 28, 1863, to August 28, 1865 (one year and eight months), and is now a pensioner under the act of June 27, 1890, at \$12 per month for disease of testicles, varicose veins of both legs, and bronchitis.

He was formerly pensioned under the act of July 14, 1862, at \$8 per month by reason of disease of testicles, result of mumps.

Address, Chetopa, Kans.

Board of surgeons, March 3, 1909, found disease of testicles, varicose veins of both legs, and bronchitis.

Medical testimony is that applicant has disease of testicles, varicose veins, and sciatic rheumatism, with resulting heart and kidney trouble. He is unable to do manual labor.

Other testimony is that applicant has no income but his pension. His wife owns three pieces of property, which rent for \$200 a year.

An increase to \$30 is proper.

H. R. 3675. George L. Causey served as a private in Company K, Eighteenth Regiment Illinois Volunteer Infantry, from March 4, 1865, to June 16, 1865 (three months), and is now a pensioner under the act of February 6, 1907.

He was formerly pensioned under the act of June 27, 1890, at \$10 per month by reason of senile debility.

He was originally pensioned under the general law at \$4 per month on account of disease of lungs.

The Jonesboro (Ark.) board of surgeons, which last examined him on July 19, 1905, found him afflicted with loss of the left thumb at first joint, and well-marked general and senile debility, the board stating that he was very feeble and unable to perform any manual labor.

Dr. C. M. Fuson (February 22, 1912) has treated him for eczema, rheumatism, and general debility.

Pensioner avers that he owns 80 acres of hill land, mortgaged for \$250, and \$250 personal property. Neighbors testify that his 80 acres, which they describe are worth \$1,800, would rent for \$125; that he has \$200 personal property.

An increase to \$20 is recommended.

H. R. 3823. Abraham H. Burkholder, aged 76 years, served as a sergeant of Company I, Eighty-eighth Ohio Infantry, and regimental quartermaster of the One hundred and seventy-ninth Regiment Ohio Infantry, from June 22, 1863, to August 27, 1864, and from October 1, 1864, to June 17, 1865, (23 months), and is now a pensioner under the act of July 14, 1862, at \$24 per month on account of disease of pleura and disease of lungs, chronic diarrhea and resulting disease of rectum, injury of back, nasopharyngeal catarrh, and slight deafness of both ears.

Medical examination May 4, 1910, finds all of above disabilities and disease of heart, and rates at \$30.

Address, Trenton, Mo.

Dr. J. B. Right, February 7, 1911, in charge of Wright Hospital, has treated pensioner for seven years and for all the disabilities for which pensioned, and also for heart disease, which disabilities necessitate the frequent but not constant attendance of other persons.

Pensioner states that all the property he has consists of two frame houses worth \$4,500, mortgaged for \$2,800, one of which he occupies and rents the other for \$100 a year net. This is corroborated by two persons, one the county treasurer. They also say he earns a little in the abstract and title business.

Not altogether penniless or helpless, yet grievously afflicted, we may accept the rating of the last medical examination and increase to \$30 a month.

H. R. 4232. William A. Keister, aged 68 years, served as a corporal in Company D, One hundred and twenty-fifth Regiment Pennsylvania Volunteer Infantry, from August 7, 1862, to March 20, 1863, and as a private in Company M, Nineteenth Regiment Pennsylvania Volunteer Cavalry, from September 4, 1864, to June 1, 1865. Total service, 1 year 4 months and 10 days. He is now a pensioner under the act of June 27, 1890, at \$12 per month on account of left inguinal hernia, disease of rectum, lungs, and rheumatism.

Address, Valentine, Nebr.

Board of surgeons, June 27, 1894, found left inguinal hernia, disease of rectum, disease of lungs, and rheumatism.

Medical testimony is that applicant has left inguinal hernia, piles (protruding); also has rheumatism; is unable to do manual labor.

Other testimony is that applicant has a house worth about \$1,200, on which there is a mortgage of \$600, and has no other property. He has a pension of \$12 a month, which is his only income.

An increase to \$30 a month is recommended.

H. R. 4245. Hanford N. Smith, aged 79 years, served as a private and sergeant and commissary sergeant in Company E, Fourteenth Regiment Wisconsin Volunteer Infantry, from October 4, 1861, to August 22, 1865 (3 years 10 months and 18 days), and is now a pensioner under the act of February 6, 1907, at \$20 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of disease of heart and obesity, disease of stomach, nasal catarrh, and enlarged prostate and senile debility.

Was formerly pensioned under the act of July 14, 1862, at \$6 per month for chronic diarrhea.

Address, St. Paul, Nebr.

Board of surgeons, November 6, 1901, found chronic disease of stomach, disease of heart, nasal catarrh, enlarged prostate, and varicose veins.

Medical testimony is that applicant, by reason of disease of heart and general debility, is unable to do manual labor.

Other testimony is that applicant has a small parcel of ground, worth about \$75, which he uses for a garden; it appears that he has no other property. His wife owns a house and two lots, worth about \$700. His income is his pension and what he receives for the vegetables he sells from his parcel of ground, stated to be 88 by 116 feet.

An increase to \$30 a month is recommended.

H. R. 4409. Susana Laplant, aged 60 years, is the former widow of Paul Aupetonanquitt, who served as a private in Company G, Twenty-third Regiment, and Company H, Twenty-eighth Regiment, Michigan Infantry, from October 5, 1864, to October 6, 1865 (one year). Soldier never applied for pension. He died in 1873. He and applicant were married late in 1865, and she remarried August 19, 1879.

Under date of March 7, 1910, she applied under the general law for pension during the six years she was soldier's widow, which was rejected May 23, 1910, on the ground of claimant's inability to furnish satisfactory evidence connecting alleged death cause with soldier's military service.

Dr. James Mitchell, October 30, 1911, says applicant appears much older than she is, is rather feeble, and has a little rheumatism in her arms and shoulders; she has no teeth and is blind in one of her eyes; that she is unable to do manual labor and unable to support herself.

Ben Mexico testifies that she has no property save the few clothes she possesses; that she picks berries in the summer, and also makes

and sells baskets. Further, that her second husband, Joseph Laplant, died August 12, 1901.

An allowance of \$12 a month is proper.

H. R. 5459. Edgar A. Whitaker, aged 62 years, served as a private, corporal, and sergeant in Company H, Third Regiment Rhode Island Heavy Artillery Volunteers, from December 12, 1861, to August 27, 1865 (3 years 8 months and 15 days), and is now a pensioner under the act of July 14, 1862, at \$12 per month, for injury to right side of face from powder burn and resulting ulcer.

He was formerly pensioned under the act of June 27, 1890, at \$8 per month by reason of injury to right hand.

Address, 946 Cranston Street, Arlington, R. I.

Board of surgeons, January 18, 1912, found injury to right side of face, and rated at \$17.

Medical testimony is that applicant has chronic rheumatism, resulting in disease of heart and almost complete nervous prostration. The evidence describes the pensioned disability and results. The applicant is unable to do manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$36 a month is recommended.

H. R. 5474. Jacob Alonzo Goodale, aged 66 years, served as a private in Company E, Eighty-sixth Regiment Illinois Volunteer Infantry, from August 13, 1862, to March 13, 1863, and as a corporal in Company F, Forty-second Regiment Illinois Volunteer Infantry, from November 13, 1864, to November 17, 1865; total service, one year seven months and four days; and is now a pensioner under the act of July 14, 1862, at \$12 per month on account of disease of heart.

Address, R. F. D. 3, Box 16, Norwood, Mo.

Board of surgeons, January 7, 1903, found no rating.

Medical testimony is that applicant has chronic bronchitis, disease of heart, kidney trouble, and chronic rheumatism, and is unable to do manual labor.

Other testimony is that applicant has no real estate. He has household furniture valued at \$200. It appears that his income is his pension.

An increase to \$36 a month is recommended.

H. R. 5725. Clarence McBratney, aged 67 years, served as a private in Company G, Twenty-fourth Regiment New York Cavalry, from December 24, 1863, to May 27, 1865 (one year and five months), and is now a pensioner under the act of July 14, 1862, at \$12 per month for gunshot wound of left knee.

Address, Utica, Ill.

Medical examination, January 17, 1906, shows wound of knee. Increase rejected on this certificate.

Dr. James S. Green, April 14, 1911, and March 18, 1912, shows soldier suffering from wound of knee, varicose veins of right leg, right varicocele, heart trouble, asthma, bronchitis, and is disabled for the performance of manual labor.

Pensioner and neighbors testify that he owns no real estate, no stocks or bonds, and has no income but his pension.

An increase to \$30 is recommended.

H. R. 5806. John McCray, aged 72 years, served as a private in Company D, Ninety-third Regiment Ohio Volunteer Infantry, from August 15, 1862, to June 8, 1865 (2 years 9 months and 23 days), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of gunshot wound of right hip and thigh, and disease of respiratory organs.

Was formerly pensioned under the act of July 14, 1862, at \$4 per month for gunshot wound of right hip and thigh.

Address, 502 Riverview Street, Wichita, Kans.

Board of surgeons, August 16, 1906, found pensioned causes.

Medical testimony is that applicant has liver congestion, valvular disease of the heart, chronic rheumatism, chronic dyspepsia, with constipation and diarrhea, and is unable to do manual labor.

Other testimony is that applicant has no income from any source except his pension.

An increase to \$30 a month is recommended.

H. R. 6596. Frederick R. Smith, aged 68 years, served as an adjutant in Seventy-sixth Regiment Pennsylvania Infantry, from September 1, 1861, to July 18, 1865 (3 years and 10 months).

Address, Fields Station, Pa.

He is pensioned under the act of June 27, 1890, at \$12 per month by reason of loss of right foot, which was shown by medical examination of July 15, 1891; also loss of sight of left eye.

Dr. J. L. Mansuy, February 23, 1912, testifies that soldier is totally incapacitated to perform manual labor by reason of total deafness. His right foot is amputated 2 inches above the ankle, enlargement of prostate gland, and chronic rheumatism.

Two neighbors testify that he has no real estate whatsoever, that he is an incompetent person, and unable to provide for himself.

An increase to \$30 is recommended.

H. R. 7468. Solomon A. Rymer, 67 years of age, served as a private in Company E, Tenth Tennessee Cavalry, from January 13, 1864, to August 1, 1865, and is a pensioner under the act of February 6, 1907, at \$12 per month.

He was formerly pensioned under the act of June 27, 1890, at \$10 per month on account of a right inguinal hernia, rheumatism, disease of the heart and rectum. His general-law claim, filed in 1885 and based on piles, was properly rejected in 1901 on the ground of the claimant's declared inability to furnish the evidence necessary to establish said claim.

He is a resident of Benton, Tenn., and was last examined by the Athens (Tenn.) board of surgeons on February 20, 1907, and was then found to be suffering from a direct complete inguinal hernia, a moderate degree of chronic articular rheumatism, with some osseous thickening of the articulations, dilatation of the heart, with compensatory hypertrophy, and general and senile debility.

Medical testimony filed with your committee shows that the claimant is still afflicted with the hernia, hypertrophy of the heart, with stenosis of the aorta, and is also suffering from a hydrocele of the left testicle and hemorrhoids, is very feeble, and totally incapacitated for manual labor.

He owns a little farm, which is worth from \$50 to \$75 per year, when he can rent it.

It having been shown that the claimant is suffering from disabilities of an extreme nature, is totally disabled for labor, and is destitute, an increase of his pension to \$24 per month is believed to be justified.

H. R. 7644. William H. Cyrus, aged 71 years, served as a private in Company D, Thirteenth Regiment West Virginia Infantry, from January 21, 1864, to August 29, 1865 (1 year and 7 months), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of disease of heart and rheumatism, which were shown by medical examination of January 7, 1891.

Address, Ona, W. Va.

Dr. J. J. McComb, May 1, 1911, testifies that soldier is unable to do manual labor, as he is partially paralyzed. This is vouched for by affidavits of eight neighbors.

Pensioner and two neighbors swear that he has no real estate or personal property, but has \$170 in bank and no income but his pension.

A rate of \$30 is recommended.

H. R. 7777. James W. Cowan, aged 72 years, served as a private in Company H, Sixth Regiment Indiana Volunteer Cavalry, and in Company A, Sixth Regiment Veteran Reserve Corps, from July 23, 1862, to July 6, 1865 (2 years 11 months and 13 days), and is now a pensioner under the act of June 27, 1890, at \$12 per month for gunshot wound of left hand, disease of respiratory organs, left inguinal hernia, general debility, right inguinal hernia, and rheumatism.

He was formerly pensioned under the act of July 14, 1862, at \$4 per month by reason of accidental pistol-shot wound of left hand.

Address, Whitman, Nebr.

Board of surgeons, June 29, 1903, found wound of left hand, double hernia, rheumatism, loss of teeth, and general debility.

Medical testimony is that applicant is wholly incapacitated for manual labor from the following physical debilities: Left inguinal hernia, partial muscular atrophy of both legs, defective locomotion resulting from incipient disease of spinal cord, vision impaired, general bodily nutrition is noticeably defective.

The county treasurer certifies that soldier's property is assessed at \$180, taxes \$6.63. Neighbors testify that his income is \$50, from the lease of his claim, and a pension of \$12 a month.

An increase to \$30 is recommended.

H. R. 8179. Helena M. Quinn, 69 years of age, is the widow of John E. Quinn, who served as sergeant of Company B, Thirtieth Massachusetts Volunteers, from September 12, 1861, to April 4, 1863, and as first lieutenant Company G, Seventy-fifth United States Colored Troops, from April 4, 1863, to November 9, 1863. He died October 27, 1887, of malarial poisoning, the result of his military service. His widow, who married him on September 5, 1868, is now, and has been ever since his death, a pensioner under the general law

at \$12 per month, his death cause having been contracted during his first service.

In October, 1890, the claimant sought*additional pension on account of a helpless daughter of the soldier—Theresa J.—born on October 11, 1869; her claim, however, was rejected in 1893 on the ground of no title, the child having been over 16 years of age at the time of its father's death.

Dr. William A. Johnson, April 6, 1912, certifies that applicant should not attempt to work as she is 72 years old and is suffering from lumbago; that she is very weak and has constant pains in her back; that the heart action is feeble and intermittent, and there is marked evidence of hardening of blood vessels.

There is other medical evidence that her child Teresa J. Quinn, aged 42 years, needs a constant attendant owing to congenital mental weakness—imbecility.

Neighbors testify that this pensioner formerly earned from \$4 to \$5 a week working in the mills, but that now, owing to age and infirmities, she depends for support upon her pension of \$12 a month and State aid of \$4 a month. She pays \$8 a month rent.

To aid in her support and the care of her imbecile daughter an increase to \$24 is recommended.

H. R. 8598. Samuel E. Reynolds, aged 69 years, served as a private in Company K, Second Regiment New Hampshire Volunteer Infantry, from May 21, 1861, to December 19, 1865 (4 years 6 months and 28 days), and is now a pensioner under the act of July 14, 1862, at \$12 per month on account of rheumatism and malarial poisoning.

Address, North Scituate, R. I.

Board of surgeons, March 14, 1900, found rheumatism, four-eighteenths, and other disability, ten-eighteenths.

Medical testimony is that applicant has diabetes mellitus and ankylosis of one knee, and needs constant care. It appears that he is unable to do manual labor.

The testimony shows that he owns a small place taxed on a value of \$1,000, which is mortgaged for \$400; and he owes \$450 besides, which he borrowed to repair his home. He has no income but his pension and a State aid of \$5 a month.

An increase to \$36 is recommended.

H. R. 8672. John Miller, aged 66 years, served as a private in Company K, Fifty-fifth Regiment Ohio Infantry, from February 5, 1864, to July 11, 1865 (1 year and 5 months), and is now a pensioner under the act of July 14, 1862, at \$24 per month on account of injury of left foot and ankle. Claim for increase was rejected April 8, 1911, on medical examination of March 22, 1911, which revealed besides the pensioned cause a serious lesion of central nervous system, and umbilical hernia.

Dr. C. C. Mandeville testifies that he has treated pensioner for both incontinence of urine and feces and rheumatism; that both his circulatory and nervous systems are suffering, and that he is permanently disabled from manual labor.

Pensioner states under oath that he owns one lot in Galion, Ohio, of the value \$2,500, mortgaged for \$1,900, and that his income from all sources is \$288 (his pension).

The Member introducing this bill certifies that from a very authentic source he learns soldier has a small home but same is mortgaged, and his only income is his pension.

An increase to \$40 is recommended.

H. R. 8866. Delora W. Kendall, aged 55 years, is the widow of Leroy Kendall, who served as a private in the Fourth Unattached Company, Massachusetts Militia Infantry from April 29, 1864, to August 6, 1864, and as a private in Company I, Second Regiment Maine Cavalry, from October 17, 1864, to August 26, 1865. Total service 1 year, 1 month, and 15 days.

Soldier was pensioned under the general law at \$30.

Applicant is pensioned under act of April 19, 1908, at \$12 per month.

Address, 82 Arnold Avenue, Edgewood, R. I.

Medical testimony is to the effect that claimant has chronic indigestion, a valvular lesion of the heart, and is now undergoing the meno-pause. Further that applicant's disabilities render her wholly and permanently unable to earn a living.

Other testimony is to the effect that she has no property and no income but her pension.

Soldier and claimant married March 28, 1879. An increase to \$20 is approved.

H. R. 8962. Andrew Willis, aged 64 years, served as a private in Company E, One hundred and twenty-fourth Regiment, United States Colored Volunteer Infantry, from December 15, 1864, to October 24, 1865 (10 months and 9 days), and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of rheumatism, disease of heart, eyes, and bowels, and piles.

Had an extended service subsequent to the Civil War.

Address, Greenfield, Ind.

Board of surgeons, January 13, 1909, found sciatic rheumatism, gunshot wound, and disease of eyes, stomach, and bowels.

Medical testimony is that applicant has piles, disease of rectum, and rheumatism; has chronic conjunctivitis of both eyes; has feeble heart action; has supraorbital neuralgia and harnaturia; is unable to do manual labor.

Other testimony is that applicant has his household goods and his home, consisting of a small house and lot, and that his income is his pension.

An increase to \$24 a month is recommended.

H. R. 9080. John T. Reid, aged 68 years, served as a private in Company K, One hundred and forty-second Regiment Pennsylvania Volunteer Infantry, from August 13, 1862, to May 29, 1865 (2 years, 9 months, and 16 days), and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of left inguinal hernia, complete, and disease of respiratory organs and liver.

Address, 9 Frothingham Street, Pittston, Pa.

Board of surgeons, April 13, 1898, found left indirect inguinal hernia, disease of lungs, and disease of liver.

Medical testimony is that applicant is broken down in health and absolutely unable to do any manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$30 a month is recommended.

H. R. 9354. William Lockridge, nearly 70 years of age, served as a private in Company G, Twelfth Indiana Volunteers, from October 23, 1861, to May 19, 1862, and had a prior service in Company K, Sixth Indiana Volunteers, from April 18, 1861, to August 2, 1861 (10 months).

He is now a pensioner under the act of February 6, 1907, at \$12 per month, and was formerly pensioned under the act of June 27, 1890, at \$10 per month on account of an ax wound of the left great toe, chronic diarrhea, disease of the rectum, varicose veins of the legs, rheumatism, and senile debility.

November 20, 1911, pensioned at \$15 under act of February 6, 1907.

He was originally pensioned under the general laws at \$2 per month on account of the wound of the left great toe and was increased to \$4 per month. His claim on account of rheumatism, disease of the heart, and chronic diarrhea was properly rejected by the Pension Bureau in February, 1897, upon the ground of the claimant's inability to furnish the necessary evidence to establish the claim.

He is a resident of Dupont, Ind., and was last examined on September 5, 1906, by the Carrollton (Ky.) board of surgeons, and was then found to be afflicted with deformity of the great toe of the left foot, chronic diarrhea, disease of the rectum, a weak and irregular heart, slight deafness of both ears, and rheumatism affecting the right ankle and knee.

Dr. V. Shepherd, March 11, 1912, says pensioner is suffering from muscular rheumatism; that he is quite deaf, has wound of left great toe, and palpitation of the heart.

Other testimony is that he is a poor man and his only support is his pension.

An increase to \$24 is recommended.

H. R. 9989. Silas Macey, aged 66 years, served as a private in Company D, Eighth Regiment Ohio Cavalry, from March 29, 1864, to May 25, 1865 (one year and two months).

He is pensioned under the act of June 27, 1890, at \$12 per month by reason of right inguinal hernia, rheumatism, partial loss of teeth, and disease of mouth.

Claim under the general law was rejected December 10, 1888, on the ground that after special examination claimant was unable to prove origin in service of rupture of right side.

Dr. F. W. Smith has treated soldier for rheumatism and chronic gastritis for three years, and pensioner is unable to do a full day's work. This is corroborated by Dr. W. E. Hogan. Other testimony asserts that pensioner has no adequate income.

Pensioner and two neighbors depose that he has no real estate or income outside of his pension.

An increase to \$30 is recommended.

H. R. 10011. David Harrison Colby, aged 69 years, served as a private in Company D, Twenty-fifth Regiment Maine Volunteer In-

fantry, from September 10, 1862, to July 10, 1863 (10 months), and is now a pensioner under the act of February 6, 1907, at \$12 per month.

He was formerly pensioned under the act of June 27, 1890, at \$6 per month by reason of rheumatism.

His post-office address is Lewiston, Me.

Soldier alleges total incapacity for any labor or business; is without property or means of support aside from pension; can not dress or undress himself. He has heart trouble, rheumatism, and total loss of vision.

Dr. W. J. Renwick testifies that soldier is wholly and permanently disabled for any sort of work, suffers with cardiac dilatation, in which compensation has not been maintained, resulting in general dropsy; a great deal of his time is unable to lie down, and is compelled to sleep in his chair in a sitting posture.

John C. Gerry and J. Frank Boothby corroborate soldier's statements as to physical helplessness and financial poverty.

On July 15, 1903, the Lewiston (Me.) board rated for lumbago and heart trouble.

The soldier's deplorable physical condition will warrant a rating of \$24 per month.

H. R. 10553. Henry M. Parks, aged 70 years, served as a private in Company E, Fifth Regiment Ohio Volunteer Cavalry, from August 27, 1862, to June 26, 1865 (2 years 9 months and 29 days), and is now a pensioner under the act of July 14, 1862, at \$12 per month for left varicocele and injury to right shoulder.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of injury of right shoulder, left varicocele, rheumatism, disease of heart and rectum, right inguinal hernia, obesity, and senile debility.

Address, Eaton, Ohio.

Board of surgeons, April 13, 1910, found left varicocele, injury to right shoulder, rheumatism, and disease of heart.

Dr. C. W. Conley says pensioner suffers from asthma, disease of liver and testicles, and attacks of gallstones, and is unable to do manual labor.

Neighbors say that the only property possessed by soldier is a 1-story house which, with two vacant lots, is worth \$1,200 to \$1,400, mortgaged for \$300, and no income but \$12 a month pension.

An increase to \$36 is recommended.

H. R. 10675. William Farrell, aged 64 years, served as a musician in Company H, Ninety-fifth Regiment Illinois Volunteer Infantry, from August 15, 1862, to August 17, 1865 (three years and two days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of July 14, 1862, at \$8 per month by reason of disease of eyes.

Address, Harvard, Ill.

Board of surgeons, May 14, 1902, found disease of eyes and impaired hearing in left ear.

Medical testimony is that applicant has intermittent diarrhea and chronic cystitis, and is lame in the back most of the time. It appears that he is unable to do manual labor.

It is shown by affidavits that soldier's income is his pension of \$12 a month and \$5 a month State aid from G. A. R. He owns a house and lot of the value of \$800, mortgaged for \$300; also has made entry in South Dakota for a homestead of 160 acres of land, which is worth to him \$500, with a house of the value of \$100 on it.

An increase to \$30 a month is recommended.

H. R. 11039. Wilson H. Claypool, aged 71 years, served as a private in Company B, Ninetieth Regiment Ohio Infantry, from October 3, 1863, to October 3, 1866 (three years), and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of rheumatism, disease of heart and respiratory organs, impaired vision, and senile debility.

Address, Caledonia, Ohio.

Besides the pensioned disabilities the medical examination of February 13, 1907, showed deafness.

Dr. J. E. Baker, May 22, 1911, testifies that he has treated pensioner for rheumatism; that he is unable to perform any manual labor; that he owns no property and has no way in which to make a living; and has nothing but his pension. The pensioner says he owns no property and only has \$144 a year income, being his pension.

An increase to \$30 is recommended.

H. R. 11189. Charles T. Chandonia, aged 72 years, served as a first lieutenant in Company E, Forty-eighth Regiment Indiana Volunteer Infantry, from November 12, 1861, to July 15, 1865 (3 years 8 months and 3 days), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of injury of both arms, rheumatism, disease of heart and eyes, and senile debility.

Address, Lakeville, Ind.

Board of surgeons, September 27, 1905, found disease of eyes, loss of distal phalanx of left index finger, rheumatism, disease of heart, and injury to both arms.

Medical testimony is that applicant has arteriosclerosis, cardiac hypertrophy, and general nervous debility, which unfit him for manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$30 a month is recommended.

H. R. 11219. James L. Pugh, aged 67 years, served as a private in Company D, One hundred and thirty-third Regiment Pennsylvania Volunteer Infantry, from August 5, 1862, to May 26, 1863, and in Company K, Fifth Regiment Pennsylvania Volunteer Heavy Artillery, from August 26, 1864, to June 30, 1865 (total service, 1 year 7 months and 25 days), and is now a pensioner under the act of June 27, 1890, at \$12 per month for gunshot wound left leg and left arm and disease of heart.

He was formerly pensioned under the act of June 14, 1862, at \$8 per month by reason of gunshot wound of left leg.

Address, Somerset, Pa.

Board of surgeons, September 13, 1911, found pensioned causes.

Medical testimony is that applicant suffers from pensioned causes and rheumatism and is unable to do manual labor.

Other testimony is that applicant has no property. Has a pension of \$12 per month.

An increase to \$36 a month is recommended.

H. R. 11309. John N. Preston, aged 64 years, served as a private in Company G, Third Regiment Rhode Island Cavalry, from February 24, 1863, to November 29, 1865 (2 years and 9 months), and is now a pensioner under the act of February 6, 1907, at \$12 per month.

He was formerly pensioned under the general law at \$8 per month by reason of malarial poisoning, dyspepsia, and resulting nervous prostration. This rate was allowed in August, 1884. He was last examined in May, 1883.

Dr. Carrigan, of Pawtucket, R. I., states that claimant is now almost totally blind and that his eyesight can not be improved by glasses.

Dr. J. P. Carrigan, February 15, 1912, testifies, from examination, that pensioner is 85 per cent blind and, as he is incurable, will lose the whole of his sight.

The assessor of taxes certifies that he is not the owner of any ratable real or personal estate and that he is a poor man and has no income of any kind.

An increase to \$30 is recommended.

H. R. 11362. James A. Jones, aged 64 years, served as a private in Company C, One hundred and ninety-third Regiment New York Volunteer Infantry, from April 5, 1865, to January 18, 1866 (9 months and 13 days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$8 per month by reason of disease of heart and general debility.

Address, Winchendon, Mass.

Board of surgeons, September 5, 1906, found general debility and impaired vision.

Medical testimony is that applicant is nearly blind as a result of atrophy of optic nerves and is in feeble physical condition. He is unable to do manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$24 a month is recommended.

H. R. 11513. Benjamin F. Preble, 78 years of age, served as a sergeant in Company E, Eighty-third Indiana Volunteers, from August 20, 1862, to September 30, 1863, when discharged on a surgeon's certificate of disability by reason of chronic diarrhea and incipient phthisis.

He is now a pensioner under the act of February 6, 1907, at \$20 per month and was formerly pensioned under the general law at \$14 on account of chronic diarrhea and resulting disease of the rectum, an injury of the left hip, and disease of the lungs. Increase of pension under that law was denied in November, 1906.

He is a resident of Versailles, Ind., and was last examined by the Osgood (Ind.) board of surgeons on October 17, 1906, who found him afflicted with distension of the stomach and bowels, enlargement of the spleen, one-half inch prolapsus of the rectum, one external

pile tumor, and slight flattening of the left nates, some arteriosclerosis, and rhinitis.

Dr. Beckett, of Versailles, Ind., states under oath that the claimant by reason of bronchitis, diarrhea, and the infirmities of age is absolutely unfit to perform any manual labor, and Dr. Hunter of the same place states that he has a slow, feeble heart, with shortness of breath, with puffiness under the eyes, swollen ankles and feet, enlargement of the liver and spleen, tendency toward dysentery, and rheumatism of the knees and shoulders, which makes it troublesome for him to walk; that his entire body is very weak and trembling, and that he is unable to do any manual labor.

He owns a one-third interest in 70 acres of land, said interest being worth not to exceed \$700, the income from which is \$50 per year. He has no other income aside from his pension except fees as an auctioneer, averaging \$100 per year.

Taking into consideration his extreme age and straitened financial circumstances an increase of his pension to \$30 per month is recommended.

H. R. 11560. Gustave Freudenthal, aged 70 years, served as a private in Company K, Twentieth Regiment New York Volunteer Infantry, from May 3, 1861, to June 1, 1863, and as a corporal in Company D, Third New Jersey Volunteer Cavalry, from March 2, 1864, to August 1, 1865 (3 years 5 months and 27 days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$10 per month by reason of ventral hernia and left varicocele.

Address, rural route No. 1, Sylvia, Tenn.

Board of surgeons, April 6, 1904, found encysted bullet, varicocele, senile debility, indigestion, and rheumatism.

Medical testimony is that applicant suffers from an encysted bullet, disease of heart, general debility, and old age, and is unable to do manual labor.

Other testimony is that applicant has no property except one horse, one filly, one cow, and some household goods. Has no income but his pension.

An increase to \$30 a month is recommended.

H. R. 11645. Perry Powers, aged 66 years, served as a private in Company E, First Regiment Wisconsin Volunteer Cavalry, from August 24, 1864, to July 19, 1865 (10 months and 25 days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of July 14, 1862, at \$8 per month by reason of rheumatism and chronic diarrhea.

Address, Bemidji, Minn.

Board of surgeons, May 2, 1906, found heart trouble, chronic diarrhea, hernia, and senility.

Medical testimony is that applicant has chronic diarrhea, rheumatism, chronic hydrocele, chronic cystitis, right inguinal hernia, enlarged prostate gland, and emphysema of lung; he is unable to do manual labor.

Two neighbors testify that the only property owned by pensioner is 40 acres of land worth \$400, and no income therefrom except a little garden truck.

An increase to \$24 is recommended.

H. R. 11715. William P. Anderson, aged 65 years, served as a private in Company E, One hundred and seventy-second Regiment Ohio National Guard Infantry, from April 27, 1864, to September 3, 1864 (4 months and 6 days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$10 per month by reason of disease of rectum, affection of left knee, and disease of heart.

Had an Army service subsequent to the Civil War.

Address, Robins, Ohio.

Board of surgeons, August 30, 1899, found pensioned causes, indigestion, and nasopharyngeal catarrh.

Medical testimony is that applicant has to go on crutches and is unable to do manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$20 is recommended; very short service.

H. R. 12020. Aaron C. Day, aged 71 years, served as a private in Company B, Eighteenth Regiment Iowa Volunteers, from July 21, 1862, to July 20, 1865, and is now a pensioner under the general law at \$24 per month on account of an affection of the left side and disease of lungs. He was denied an increase of pension by the Pension Bureau in April, 1911, the bureau holding that his then existing condition was due in part to other than the pensioned causes.

He is a resident of Grant City, Mo., and when last examined by the board of surgeons in his city on March 15, 1911, was found to be weak and anemic and afflicted with disease of lungs, mitral disease of the heart with slight dyspnea and cyanosis, blindness of the right eye, and arteriosclerosis.

The surgeons then stated that claimant did not require aid and attendance except on occasions of sickness, which occurred about twice a year, at which times he was confined to his house for a few weeks.

It is shown by the testimony of Dr. Andrews, of the claimant's home, that he is now weak, emaciated, blind in the right eye, and is afflicted with marked pharyngitis, a bulging of the left side of the chest, dullness over part of the left lung and some adhesions of the upper part of that side, a marked affection of the left lung due to some fibroid disease, frequent cough and expectoration, a quick heart's action with a distinct murmur, edema and marked cyanosis, and arteriosclerosis, and that he is not able to work.

His neighbors state that he has no property of any kind, except a moderate home, which is heavily mortgaged, and has no means of support aside from his pension.

The claimant, in an affidavit filed with the committee, states that there are times when he is unable to take care of himself and has to have an attendant, he being a physical wreck, etc.

Taking into consideration his faithful service of three years, his advanced age, and total disability and destitution, an increase of his

pension to \$36 per month, to aid in his support, is believed to be just and proper.

H. R. 12139. James Woolsey, aged 75 years, served as a private, unassigned, Forty-first Regiment Missouri Infantry, from February 18, 1865, to May 17, 1865 (89 days), and is not now a pensioner under any act.

Address, Steelville, Mo.

Soldier applied for pension under the general law June 2, 1900, which was rejected on the ground of no ratable disability from alleged chronic diarrhea.

Medical examination, November 21, 1900, shows only rheumatism and stiff arm.

Dr. A. H. Horn finds varicose veins of left leg and articular rheumatism, which incapacitates him from performing manual labor.

Neighbors say he has no property or income.

Applicant's claim under act of February 6, 1907, was rejected on the ground of insufficient service.

Since he lacked but 1 day of the required 90 days, is quite old, and destitute, a pension of \$12 a month is recommended.

H. R. 12174. Robert R. Butts, aged 68 years, served as a private in Company G, One hundred and fifty-ninth Regiment New York Volunteer Infantry, from December 30, 1863, to October 12, 1865 (1 year 9 months and 12 days), and is now a pensioner under the act of July 14, 1862, at \$17 per month for injury of right shoulder and rheumatism.

Address, Dover Plains, N. Y.

Board of surgeons. March 22, 1911, found disease of heart and rheumatism.

Medical testimony is that applicant is totally disabled for the performance of manual labor.

Other testimony is that applicant is in destitute circumstances.

An increase to \$36 a month is recommended.

H. R. 12197. Joseph C. Kuebbeler, alias Carl Kuhne, aged 67 years, served as a private in Company E, Tenth Regiment New York Volunteer Cavalry, and Company E, First New York Provisional Cavalry, from January 15, 1865, to July 19, 1865 (six months).

His address is 219 Kenilworth Avenue, Toledo, Ohio.

The soldier has never been pensioned. His claim was filed under the act of February 6, 1907, but was rejected on the ground that the claimant has not established his identity as the soldier of record to the satisfaction of the Bureau of Pensions.

At the time of his enlistment this soldier had only been in the United States for a few weeks. He could not speak English; he was wholly ignorant of the manners, customs, or the language of this country, and was soon secured by some drafted man to go to the Army as a substitute. As a reason for changing his name, he has declared it was due to trouble he had with his stepfather in Germany.

That the soldier would be entitled to a pension is clear, if he were properly identified. Therefore the only question to determine is as to the sufficiency of the evidence on that point filed in the Pension Bureau and obtained on a special examination of the case.

The fact that a number of the comrades do not now recall the claimant is not to be wondered, when we consider the circumstances. There is one witness (Herman Wagner) who testifies that claimant was the soldier, and speaks of a scar on the head to show he was the soldier.

After a lapse of so many years it is difficult to make strong proof to show the green German boy of 1865 to be the mature man of 1912. But it seems to us his story is straightforward and acceptable, and is sustained by enough proof to warrant us in acting favorably at this time.

At enlistment he was a perfect stranger to everyone in his company. Unable to speak English, it naturally resulted that he could make a few acquaintances among those who chanced to speak German.

A rating of \$24 per month is recommended.

H. R. 12224. Henry E. Barto, aged 67 years, served as a private in Company D, First Battalion Pennsylvania Volunteer Infantry, from July 18, 1864, to November 11, 1864, and in Company F, Ninety-third Regiment Pennsylvania Volunteer Infantry, from February 9 to June 27, 1865 (total service, 8 months and 11 days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$8 per month by reason of disease of heart and general debility.

Address, Columbus Grove, Ohio.

Board of surgeons, January 3, 1906, found disease of heart, catarrh, and nervousness.

Medical testimony is that applicant has had an apoplectic stroke and has paresis; is unable to do manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$24 a month is recommended.

H. R. 12298. Anna Currigan Chamberlin, aged 66 years, is the widow of Wesley Chamberlin, who served as a first lieutenant in Company G, Twenty-fifth Ohio Volunteer Infantry, from June 18, 1861, to May 6, 1862, and as a first lieutenant in Company A, One hundred and thirtieth Regiment Ohio Volunteer Infantry, from May 2, 1864, to September 22, 1864 (15 months).

The claimant's post-office address is No. 1133 Miami Street, Toledo, Ohio.

The soldier was pensioned at \$20 per month under act of February 6, 1907. He was originally pensioned under act of June 27, 1890, at \$12 per month on account of left hydrocele and general debility.

Inasmuch as soldier's death was not a result of his Army life, the widow has no pensionable status under the act of July 14, 1862; and she has no status under the acts of June 27, 1890, or April 19, 1908, as she did not marry the soldier prior to June 27, 1890 (the date of marriage being October 10, 1893).

The soldier served two enlistments (as an officer in two different organizations); he was honorably discharged from each.

Although this claim is one of the class which is meritorious, yet the conditions are such that it does not meet the requirements of existing laws. Faithful and honorable services of soldier and legal widowhood of claimant are shown.

We believe that in this case justice can only be done by granting the benefits of a special act, and we recommend an allowance of \$12 per month to this claimant.

H. R. 12302. Richard D. Russell, aged 74 years, served as a first lieutenant in Company K, Eighty-third Regiment Illinois Volunteer Infantry, from July 28, 1862, to June 26, 1865 (2 years 10 months and 28 days), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of complete left inguinal hernia, rheumatism, and bronchitis.

Address, Claremont, Cal.

Board of surgeons, June 8, 1892, found pensioned causes.

Medical testimony is that applicant has regurgitation of heart, sluggish circulation, and capillary congestion; has asthmatic bronchitis, pharyngeal catarrh; has inguinal hernia, left side; has impaired vision and hearing; right hip bone broken and resulting shortness of limb; uses crutches; partial paralysis of both legs; is unable to do manual labor.

A numerous signed petition of the leading citizens and other evidence in the case make it clear that pensioner is a most worthy recipient of relief, and that he has been the object of their loving care and bounty; his means of support are exhausted.

An increase to \$30 is recommended.

H. R. 12387. John Pierce, aged 67 years, served as a private in Company G, Sixth Regiment Massachusetts Infantry, from August 20, 1862, to June 3, 1863, and from July 7, 1864, to October 27, 1864 (one year and one month), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$6 per month by reason of rheumatism and resulting disease of heart.

Address, South Paris, Me.

Medical examination, September 19, 1900, shows rheumatism, disease of heart, impaired vision, enlarged prostate, and vertigo.

Dr. D. M. Stewart says soldier has cataract of right eye, lumbago, nervousness, and is unable to attend to his business; this is corroborated by Dr. J. G. Littlefield.

The selectman says he is assessed at \$700 on his stock of jewelry, no other property assessed.

Pensioner's son and several business men make oath that pensioner's stock is his only property and is of the value of \$800, but that owing to his failing eyesight his son must do the repairing, selling, etc.

An increase to \$30 is recommended.

H. R. 12645. William Morton, aged about 73 years, served as a private in Company E, Sixteenth Regiment Indiana Volunteers, from August 9, 1862, to June 30, 1865, and is now a pensioner under the general law at \$17 per month on account of chronic diarrhea and resulting disease of rectum.

Increase of pension was denied by the Pension Bureau in October, 1907.

He was last examined on August 21, 1907, by the Lawrenceburg (Ind.) board of surgeons, which found his bowels swollen and tender and prolapsus of rectum with four fistulas and one pile tumor quite enlarged and inflamed, for which disabilities a rating of \$17 per month was recommended.

Prior certificates of examinations showed claimant to be also afflicted with rheumatism and disease of heart.

It is shown by the testimony of Dr. Duncan, of Manchester, Ind., that claimant is now a sufferer from chronic diarrhea, fistula in ano, rheumatism, and disease of heart, is unable to get around the house but very little, walks with a very unsteady gait, and has marked arteriosclerosis, and is totally unable to perform any manual labor.

He is worth about \$300.

His long service, advanced age, poverty, etc., merit an increase of his pension to \$30 per month.

H. R. 13000. Samuel A. Moore, aged 67 years, served as a private in Company A, One hundred and forty-fifth Regiment Ohio National Guard Infantry, from May 2, 1864, to August 24, 1864 (4 months), and is now a pensioner under the general law at \$17 per month for chronic diarrhea and resulting disease of stomach and rectum, rheumatism and resulting disease of heart, and injury to left testicle.

Address, R. R. No. 5, Delaware, Ohio.

Medical examination, April 26, 1901, shows pensioned disabilities and impaired vision.

Dr. G. E. Robinson, October 12, 1911: Has been soldier's physician for five years and has treated him for stomach trouble, heart trouble, rheumatism, and chronic diarrhea; vision affected by cataract in left eye, and he is incapacitated for work.

The auditor of Delaware County finds on the tax duplicates for 1910 real estate in soldier's name for \$2,740; personal property, \$110. The recorder finds a mortgage given by soldier for \$500 unpaid.

Neighbors say he can only chore and do light work. Sarah A. McParlin says soldier is indebted to her for \$600 and interest. Soldier lost his farm in 1890 by being surety for others, but since then has acquired some property.

An increase to \$24 is allowed.

H. R. 13229. Peter Fleming, aged 68 years, served as a private in Company K, Eighty-seventh Regiment Indiana Volunteer Infantry, from August 11, 1862, to June 10, 1865 (2 years 9 months and 29 days), and is now a pensioner under the act of July 14, 1862, at \$12 per month for gunshot wound of left leg and disease of stomach.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of gunshot wound of left leg, dyspepsia, and left varicocele.

Address, Clinton, Iowa.

Board of surgeons, June 3, 1903, found gunshot wound of left leg, disease of stomach, and disease of kidneys.

Medical testimony is that applicant suffers from a stroke of paralysis that so disables him that he can not dress or undress himself, can not walk or attend to calls of nature unassisted; that his case is incurable, permanent, and beyond the reach of medicines, electricity, or other earthly measures.

Further testimony is that applicant had to sell his 20 acres to keep himself and wife; that the sum derived from that source is exhausted and that he has to depend upon his pension and occasional help from the soldiers' relief fund.

An increase to \$36 a month is recommended.

H. R. 13441. James R. Hann, aged 63 years, served as a private in Company I, Two hundred and second Regiment Pennsylvania Infantry, from August 16, 1864, to August 3, 1865 (11½ months), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$10 per month by reason of rheumatism and resulting disease of heart.

Address, Williamsport, Pa.

Medical examination, August 27, 1902, shows nothing other than pensioned causes.

Dr. W. H. Miller, March 2, 1912, testifies that he has treated soldier for la grippe, catarrh of stomach, rheumatism of a chronic type, which totally unfits him for ordinary manual labor.

Two neighbors testify that soldier has no real estate, no money in bank, and his only personal property a few household goods.

An increase to \$24 is allowable.

H. R. 13527. Benjamin F. Dunivan, aged 69 years, served as a private in Company H, Sixty-third Regiment Enrolled Missouri Infantry, from September 7, 1864, to December 2, 1864 (87 days).

The claimant's post-office address is Rolla, Mo. He has never been pensioned. His claim for rupture, under the act of July 14, 1862, was rejected on the ground that the evidence then filed failed to show origin of disability in service, and his claim under act June 27, 1890, rejected because he had not performed 90 days' service. He now claims he is in destitute circumstances; that he suffers with rupture, left side; that he is paralyzed.

Medical evidence shows soldier is disabled almost totally; that the disabilities are a rupture, left side; that his guts pass down to scrotum, causing a sac as large as a half-gallon bucket; that there is paralysis of lower extremities; nutrition is bad; bowels constipated, poor action; gait cautious; senility marked. Lay testimony shows destitution of claimant.

There was filed in Pension Bureau two affidavits showing that soldier was ruptured while engaged in building breastworks for defense of Rolla, Mo., in 1864, during his brief term of service.

The examining board at Rolla, Mo., on April 15, 1891, reported that soldier was disabled 8/18 by left inguinal hernia, 4/18 by rheumatism, 2/18 by injury to left little finger, and 10/30 by total deafness of right ear.

It is believed that justice will be done in allowing a rating of \$12 per month to the soldier.

H. R. 13629. James M. Alderson, aged 69 years, served as a private in Company E, One hundred and eleventh Regiment Illinois Volunteer Infantry, from August 14, 1862, to June 6, 1865 (2 years 9 months and 22 days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of July 14, 1862, at \$10 per month by reason of gunshot wound of left hand.

Address, Xenia, Ill.

Board of surgeons, December 5, 1906, found pensioned disability and injury to head.

Medical testimony is that applicant has vertigo and organic heart trouble; has indigestion and nephritis; has injured left hand; also has bad liver.

He is unfitted for manual labor.

J. M. Corry and J. N. Stofer testify that pensioner owns 20 acres of land valued at \$40 an acre; his personal property consists of 3 cows, at \$25 apiece; 1 filly, at \$100; and 3 old mares; that the land yields no income.

An increase to \$30 is allowed.

H. R. 13636. Milton Franklin, aged 67 years, served as a corporal in Sixteenth Battery, Indiana Light Artillery, from March 31, 1862, to July 5, 1865 (two years and 3 months), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of July 14, 1862, at \$8 per month by reason of right inguinal hernia.

Address, Bone Gap, Ill.

Medical examination, November 16, 1898, was for pensioned disability alone.

Dr. T. C. Weber and Dr. J. E. Kitchen, January 4, 1912, found applicant suffering from right inguinal hernia, tenderness over stomach, and partial paralysis of both hands.

Pensioner says he has no real estate, but that his wife owns a little home and lot of the value of \$700 or \$800.

The assessor certifies that soldier has no real estate.

Other testimony corroborates this and adds he has no income.

An increase to \$30 is recommended.

H. R. 13695. Sallie A. Kirkland, about 77 years of age, is the former widow of Edward W. Lucas, who served as a private in Company A, Forty-third Missouri Volunteers, from August 11, 1864, to June 9, 1865, and who died of erysipelas on March 6, 1867, without ever having applied for pension.

The records of the War Department show that he was under treatment for three days in 1864 for an indolent ulcer of the right leg.

The claimant, who married the soldier on February 15, 1854, sought pension under the general law, but her claim was rejected in July, 1911, on the ground that the soldier's death cause was not shown to have been a result of his military service.

The claimant also applied for pension under the act of June 27, 1890, but this claim was rejected in 1905, upon the ground that she had remarried prior to the filing of her claim.

It appears from proof with your committee that the claimant remarried one Richard Kirkland on November 8, 1876, and from whom she was divorced October 9, 1878.

Dr. M. C. Graham, January 31, 1912, has been her physician for the five years last past; he testifies that she is old, feeble, and physically unable to support herself.

Two neighbors say she has no income and no property, and is wholly without means of support.

Since applicant was soldier's wife from February 15, 1854, to March 6, 1867, is now old, destitute, and has been a widow since 1878, following precedent, a pension of \$12 a month may be allowed.

Address, Gainesville, Ark.

H. R. 13755. John Travis, jr., aged 69 years, served as a private in Companies G and D, Fourteenth Regiment Kentucky Volunteer Infantry, from July 29, 1863, to September 15, 1865 (2 years 1 month and 16 days), and is now a pensioner under the act of June 27, 1890, at \$12 per month for rheumatism, disease of lungs, and general debility.

He was formerly pensioned under the act of July 14, 1862, at \$8 per month by reason of disease of stomach (indigestion), result of chronic diarrhea.

Address, Denton, Ky.

Board of surgeons, September 6, 1911, found disease of stomach and chronic diarrhea, and rated at \$24 per month; also describe enlarged prostate and say that applicant draws his water regularly with a catheter; also describe enlarged heart.

Medical testimony is that applicant is very debilitated; has chronic cystitis; uses the catheter continually; is totally incapacitated for manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$30 per month is recommended.

H. R. 14142. William I. Jones, aged 69 years, served as a private in Company I, One hundred and eighteenth Regiment Indiana Infantry, from June 26, 1863, to March 1, 1864 (8 months), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

Address, Cleveland, Ind.

He was formerly pensioned under the act of June 27, 1890, at \$10 per month by reason of disease of lungs and heart and senile debility. He was first pensioned under the general law at \$2 from November 5, 1881, on account of rheumatism.

The board of Greenfield, Ind., July 6, 1904, reports disease of heart and left lung and rheumatism; rate, \$12.

Dr. F. L. Stone declares that he is pensioner's family physician and knows he suffers from general rheumatism, valvular insufficiency of heart, slight evidences of left hemiplegia, and is greatly emaciated; entirely incapacitated for performing manual labor.

P. J. Albright, neighbor, testifies that soldier has no income aside from his pension.

The Member introducing this bill says soldier has no income-producing property and no financial means. Under the rules an increase to \$24 is recommended.

H. R. 14149. John Parker, 1st, aged 78 years, served as a private in Company F, Thirteenth Regiment New York Volunteer Infantry, from April 25, 1861, to May 13, 1863 (2 years and 18 days), and is now a pensioner under the act of February 6, 1907, at \$20 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of total inability to earn a support by manual labor.

Address, White Plains, N. Y.

Board of surgeons, June 29, 1898, found rheumatism, nasal catarrh, and deafness.

Medical testimony is that applicant is very deaf and uses a speaking tube; has arteriosclerosis and bad heart; his eyesight is bad; has two large inguinal hernias; and is in a feeble condition.

Other testimony is that applicant has no property, and, in addition to his pension, he ekes out a living by peddling shoe laces, collar buttons, and the like.

An increase to \$30 a month is recommended.

H. R. 14195. Edward Phelan, aged 66 years, served as a private in Company F, Forty-eighth Regiment Wisconsin Infantry, from February 16, 1865, to February 19, 1866 (one year), and is now pensioned under the act of July 14, 1862, at \$17 per month on account of asthma.

Was once pensioned under act of June 27, 1890, at \$12, for asthma, injury of right hand, and double inguinal hernia.

Address, Sheboygan, Wis.

Medical examination, December 2, 1908, discloses asthma, disease of heart, nasopharyngeal catarrh, injury to right hand, and right inguinal hernia.

Dr. James R. Kingsley, May 4, 1911, finds chronic bronchial asthma, myocarditis, and he looks for no improvement. The physician further says that pensioner's old wife, in order to help out, had to go out nursing.

Pensioner says he owns a homestead—house and lot—worth \$1,000 and personal property worth \$300, and that he owns no other property. This is corroborated by the affidavits of two near neighbors.

A good service, great afflictions, and inability to earn a sustenance warrant an increase to \$36 a month.

H. R. 14221. John L. Rood, aged 70 years, served as a corporal in Company B, Thirty-first Regiment Wisconsin Volunteer Infantry, from August 13, 1862, to May 22, 1865 (two years nine months and nine days; discharged on surgeon's certificate of disability), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of July 14, 1862, at \$14 per month by reason of gunshot wound through lung and right side.

Address, Appleton City, Mo.

Board of surgeons, March 1, 1911, found pensioned causes—ankylosis of shoulder and age—and rated at \$24 per month.

Medical testimony is that applicant has chronic bronchitis, mitral insufficiency, resulting from an attack of endocarditis; is not able to perform manual labor.

Other testimony is that applicant has two houses, in one of which he lives; he receives the rent of \$2.50 per month from the other; has \$200 in cash in bank; has a pension of \$15 a month. He states that he owes borrowed money to his brothers in the sum of \$1,500.

An increase to \$36 a month is recommended.

H. R. 14222. Aristarchus Wilson, aged 79 years, served as a second lieutenant in Second Battery Kansas Volunteer Light Artillery from August 25, 1862, to August 11, 1865 (3 years less 14 days), and is now a pensioner under the act of February 6, 1907, at \$20 per month; age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of diarrhea and rheumatism.

Address, Eldorado Springs, Mo.

Board of surgeons, March 25, 1891, found pensioned causes.

Medical testimony is that applicant, by reason of partial paralysis of entire left side, resulting from rheumatism and weak heart action, with prostration and dyspnea, is disabled for any kind of work.

Other testimony is that applicant has no real property and has \$1,200 invested at 3 per cent. The interest from this sum and his pension constitute his income.

His great age, long service, and helplessness warrant an increase to \$30 per month.

H. R. 14360. James McMurray, alias James Dunne, jr., aged 67 years, served as a private, unassigned, Nineteenth Regiment Massachusetts Volunteer Infantry, from June 8, 1864, to July 11, 1865 (one year one month and three days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$8 per month by reason of gunshot wound of left foot and disease of heart.

Address, 1289 Putnam Avenue, Brooklyn, N. Y.

Board of surgeons, May 14, 1904, found pensioned causes.

Medical testimony is that applicant has extreme dimness of vision, chronic conjunctivitis, chronic articular rheumatism, valvular heart disease, and general debility; is unable to do manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$30 a month is recommended.

H. R. 14361. Edward Sleavin, aged 65 years, served as a private in Company I, Thirteenth Regiment New York Volunteer Heavy Artillery, from September 8, 1863, to June 28, 1865 (1 year 9 months and 20 days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$8 per month by reason of rheumatism, dyspepsia, and disease of nervous system.

Address, 44 Manjer Street, Brooklyn, N. Y.

Board of surgeons, November 4, 1904, found general debility.

Medical testimony is that applicant has chronic gastritis, atrophic cirrhosis of liver, chronic interstitial nephritis, multiple neuritis of both feet, chronic bronchitis and bronchial asthma; is unable to do manual labor.

Other testimony is that applicant has no property and no income but his pension. An increase to \$30 per month is recommended.

H. R. 14362. Ellen T. White, aged 67 years, is the widow of James White, who served as a private in Company C, Twelfth Regiment New York State Militia Infantry, from May 27, 1862, to Octo-

ber 8, 1862 (4 months). Soldier was never pensioned. He died June 20, 1877. He and this widow were married May 31, 1867. She was pensioned at \$8 from July 28, 1890, and \$2 additional for child under 16. She now receives \$12 per month.

Address, 56 South Sixth Street, Brooklyn, N. Y.

Dr. M. N. Ratzan has treated her for renal and cardiac affections, and testifies that her body is giving away by reason of age and disease, and soon will need a daily attendant.

Pensioner and two witnesses state that she has no real estate, personal property, stock, bonds, or income, but her pension of \$12 per month.

An increase to \$20 is recommended.

H. R. 14364. Walter Woodward, aged 74 years, served as a corporal in Company G, Fourth Regiment New Jersey Volunteer Infantry, from August 17, 1861, to July 9, 1865 (3 years 10 months and 22 days), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$10 per month by reason of partial inability to earn a support by manual labor.

Address, 142 Diamond Street, Brooklyn, N. Y.

Board of surgeons March 6, 1902, found disease of heart and general debility.

Medical testimony is that applicant has chronic arthritis, which caused gangrene of left leg and consequent amputation; is unable to do manual labor. Other testimony is that applicant has no property and no income but his pension. An increase to \$30 per month is recommended.

H. R. 14437. Hugh A. Thorp, aged 67 years, served as a private in Company A, Third Regiment Iowa Volunteer Cavalry, from January 21, 1864, to August 9, 1865 (1 year 6 months and 18 days), and is now a pensioner under the act of June 27, 1890, at \$12 per month for disease of lungs and heart, and rheumatism.

Address, Trenton, Mo.

Board of surgeons October 21, 1891, found pensioned causes.

Medical testimony is that applicant has disease of heart, rheumatism, and vertigo; he also has bronchitis and chronic constipation; he is not able to dress himself or do manual labor at all.

Other testimony is that applicant has no property and his wife does washing; he is an object of charity.

An increase to \$30 a month is recommended.

H. R. 14528. William H. Anderson, aged 74 years, served as a private in Company F, First Regiment Ohio Volunteer Infantry, from April 17 to August 16, 1861, and as a corporal in Company E, One hundred and forty-sixth Regiment Ohio National Guard Infantry, from May 2 to September 7, 1864 (total service, eight months and four days), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month, by reason of disease of digestive organs, rheumatism, and disease of heart and rectum.

Address, Greenfield, Ohio.

Board of surgeons, September 23, 1891, found disease of digestive organs, disease of rectum, disease of urinary organs, rheumatism, disease of heart, and slight deafness of both ears.

Medical testimony is that applicant has glaucoma, which has destroyed all of the sight of left eye, and has so injured the sight of the right eye that he retains less than three-tenths of the sight of that eye; he has complete inguinal hernia on the right side; he is unable to do manual labor.

Other testimony is that applicant is wholly dependent upon his pension for a support.

An increase to \$24 per month is recommended.

H. R. 14529. Watson D. Smith, aged 67 years, served as a private in Company I, One hundred and sixty-eighth Regiment Ohio National Guard Infantry, from May 2 to September 8, 1864 (four months and six days), and is now pensioned under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$8 per month by reason of rheumatism, nasal catarrh, and general debility.

Address, Greenfield, Ohio.

Board of surgeons, September 7, 1904, found rheumatism, disease of heart, nasal catarrh, and disease of digestive organs.

Medical testimony is that applicant has failure of hearing and eyesight, nasal catarrh, nephritis, attended with hemorrhage, bladder trouble, and enlarged prostate glands, hernia, chronic indigestion and constipation, general debility and nervousness, and is unable to do manual labor.

Other testimony is that applicant is entirely dependent upon his pension for support. An increase to \$20 per month is recommended.

H. R. 14558. Hattie Fordyce, aged 50 years, is the widow of Isaac N. Fordyce, who served as a second lieutenant in Company K, First Regiment West Virginia Cavalry, from February 27, 1864, to July 8, 1865 (one year and four months).

Soldier was pensioned under act of February 6, 1907, at \$15 per month.

Soldier died July 4, 1910, and his accrued pension has been paid to this widow. She and soldier were married December 20, 1894.

Dr. L. M. Godfrey, March 20, 1911, is treating her for stomach trouble, rheumatism, kidney trouble; she also has a bad rupture; no one to assist in her support but a son 16 years old. Dr. H. V. Abbott says she is very corpulent, weighing about 300 pounds; is unable to support herself, and she has fatty degeneration of the heart, and is incapable of performing manual labor. Neighbors say she is in destitute circumstances.

As she was soldier's wife for 16 years, is now helpless and destitute, a pension of \$12 a month may be given.

H. R. 14591. Joseph E. Sutherland, aged 73 years, served as a private in Company G, Twentieth Regiment Kentucky Volunteer Infantry, from October 15, 1861, to January 17, 1865 (three years three months and two days), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$10 per month by reason of loss of two fingers of left hand and senile debility.

Address, Heber Springs, Ark.

Board of surgeons (Aug. 1, 1906,) found senility.

Medical testimony is that applicant has chronic diabetes, rheumatism, and disease of heart; has chronic catarrh, and general senile debility; he is totally incapacitated for manual labor.

The circuit court clerk certifies that soldier's name does not appear for assessment of any real estate, but does for \$80 personal property, and, as he has executed soldier's pension vouchers, he does not believe he has any other income; has known him for years.

Two neighbors know him as a poor man with no income besides his pension.

An increase to \$30 is recommended.

H. R. 14764. Daniel C. Boggs, aged 93 years, served as a quartermaster sergeant, second lieutenant, first lieutenant, and captain in Company G, Fourth Regiment Pennsylvania Volunteer Cavalry, from September 2, 1861, to July 1, 1865 (3 years 9 months and 29 days). Is now pensioned under the act of February 6, 1907, at \$20 per month—age—and was a pensioner under the act of July 14, 1862, at \$17 per month on account of right inguinal hernia (complete).

Address, 7404 Idlewild Street, Pittsburgh, Pa.

Board of surgeons, October 28, 1903, found pensioned cause; also heart difficulty and general and senile debility.

Medical testimony is that applicant, by reason of pensioned disability, is unable to do manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$36 a month is recommended.

H. R. 14897. Thomas J. Sumner, aged 66 years, served as a private in Company E, Eighty-sixth Regiment Illinois Volunteer Infantry, from August 15, 1862, to June 6, 1865 (2 years 9 months and 21 days), and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of deafness of left ear, diarrhea, and disease of rectum.

Address, Minonk, Ill.

Board of surgeons, April 15, 1891, found pensioned causes.

Medical testimony is that applicant has chronic rheumatism, fatty degeneration of the heart, with at times the kidneys being involved: is unable to do manual labor.

Other testimony is that applicant has property assessed at \$84, and no income but his pension.

An increase to \$30 a month is recommended.

H. R. 15074. James W. Sweet, aged 67 years, served as a private and corporal in Company K, Sixty-sixth Regiment Indiana Volunteer Infantry, from August 9, 1862, to June 3, 1865 (2 years 9 months and 24 days), and is now a pensioner under the act of July 14, 1862, at \$17 per month on account of disease of lungs, result of injury to breast, and chronic diarrhea and resulting piles.

Address, Waverly, Nebr.

Board of surgeons, January 4, 1911, found a rating of 24/18 for disease of lungs, chronic diarrhea, and general debility.

Medical testimony is that applicant has chronic bronchitis and chronic pleurisy, and has lost his right forearm; is unable to do manual labor.

Other testimony is that the applicant is destitute and dependent upon charity of friends and neighbors and his pension for a support.

An increase to \$36 a month is recommended.

H. R. 15106. Archibald G. Boggs, aged 66 years, served as a corporal in Company F, One hundred and thirty-seventh Regiment Ohio National Guard Infantry, from May 2, 1864, to August 19, 1864, and as an acting master's mate, United States Navy, from September 12, 1864, to August 5, 1865. Total service. 1 year 2 months and 10 days.

Is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

Was formerly pensioned under the act of June 27, 1890, at \$10 per month for rheumatism and disease of heart.

Address. 356 East Second Street, Newport, Ky.

Board of surgeons, July 1, 1903, found rheumatism, senility, and dyspepsia.

Dr. Edwin Hermann, March 28, 1912, finds pensioner totally incapacitated for labor by reason of arthritis deformans—every joint in both hands being badly affected. knees and hips very painful, causing him to drag his feet.

Others testify that he has no property beyond \$50 worth of personal belongings, and his income is a pension of \$12 from the United States Government and \$17.62 from the railroad company.

An increase to \$30 is recommended.

H. R. 15305. Susan J. Bagley, aged 85 years, is the widow of William Bagley, who served as a private in Company D, Seventy-ninth Regiment Pennsylvania Volunteer Infantry, from September 21, 1864, to July 12, 1865 (9 months).

Soldier was pensioned under act of June 27, 1890, at \$12. He died January 20, 1894. He and applicant were married September 7, 1853. She is pensioned as his widow at \$12 a month under act of June 27, 1890.

Dr. J. A. Clark, December 8, 1911, declares that this widow has been blind for 18 years in right eye and nearly so in the left eye. She has chronic diarrhea, and is totally disabled for manual labor and needs the frequent care of another person.

Two neighbors testify that pensioner is blind of both eyes and otherwise disabled, and requires constant aid of another person. She has no real or personal property and no income but her pension.

Married to the soldier in 1853, now extremely old and helpless, an increase to \$20 is recommended.

H. R. 15721. Charles E. Fry, aged 72 years, served as a private in Company F, Thirty-third Regiment Ohio Volunteer Infantry, from August 25, 1861, to March 1, 1862, and as a sergeant in Company F, Thirty-third Regiment Ohio Volunteer Infantry, from February 28, 1864, to July 12, 1865 (1 year 10 months and 20 days), and is now

a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of rheumatism and left inguinal hernia.

Address, Guyandotte, W. Va.

Board of surgeons, March 18, 1891, found pensioned causes.

Medical testimony is that applicant is in a broken-down, debilitated condition and suffers from the left inguinal hernia above referred to. It appears that he is unable to do manual labor.

Other testimony is that applicant has no property, real or personal, and that his income is his pension.

An increase to \$30 a month is recommended.

H. R. 15734. Edward Kraemer, aged 80 years, served as a private in Company F, Twelfth Regiment Illinois Infantry, from August 3, 1861, to June 30, 1865 (3 years and 11 months), and is now a pensioner under special act at \$24 per month from March 3, 1885.

He was formerly pensioned under the act of July 14, 1862, at \$30 per month by reason of injury of spine and head and resulting insanity, and injury of chest, left arm, and left shoulder, from January 27, 1892, and reduced to \$24 from January 4, 1896, disability from resulting insanity having ceased. Application for increase under general law rejected October 11, 1911.

Address, Baraboo, Wis.

Medical examination, September 6, 1911, shows pensioned causes requiring constant aid and attendance, and is totally and permanently disabled.

A petition from a large number of citizens says he is nearly blind and that he and his wife, who is his guardian, must live on his pension of \$24 a month.

Other testimony shows soldier to be incompetent and absolutely without property and that he needs the constant care and attendance of his guardian.

An increase to \$40 is recommended.

H. R. 15852. William Creelman, aged 67 years, served as a private in Company H, One hundred and fortieth Regiment New York Volunteer Infantry, from August 30, 1862, to June 3, 1865 (2 years 9 months and 3 days), and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of severe deafness of both ears.

Address, 87 Metropolitan Avenue, Brooklyn, N. Y.

Board of surgeons, May 27, 1892, found pensioned cause.

Medical testimony is that applicant has valvular heart disease, rheumatism, lumbago, vertigo, atheromatous degeneration of his blood vessels, and very poor eyesight; is unable to do manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$30 a month is recommended.

H. R. 15855. James Morrison, aged 63 years, served as a private in Company I, Fifty-third Regiment Kentucky Infantry, from March 13, 1865, to September 15, 1865 (6 months), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$10 per month by reason of rheumatism and disease of heart.

Address, Central City, W. Va.

Medical examination August 1, 1906, show the pensioned disabilities only.

Dr. C. R. Enlow and C. L. Hopkins certify that pensioner has a wasted atrophied right leg and hip probably the result of rheumatism which incapacitates him from pursuing manual labor.

Pensioner states that he suffers from rheumatism and disease of heart, chronic diarrhea and disease of rectum. He says he owns no property from which he derives an income and depends upon his pension of \$12 a month.

Pensioner's property statement is corroborated by the affidavit of Charles Houston, who says he has no real estate whatever and his household and kitchen furniture will not exceed \$50 in value.

An increase to \$20 is allowable.

H. R. 15894. Wells C. Sherick, aged 75 years, served as a private in Company K, Tenth Regiment Illinois Volunteer Infantry, from April 19, 1861, to July 29, 1861 (3 months and 10 days), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$10 per month by reason of partial inability to earn a support by manual labor.

Address, 318 West Third Street, Oil City, Pa.

Board of surgeons, April 25, 1894, found diarrhea, a result of dyspepsia, and piles and torpid liver, all believed to be results of malarial poisoning, also found catarrh.

Medical testimony is that applicant has suffered from a cerebral hemorrhage, affecting the muscles of the right side, particularly the arm and brain center governing articulate speech. The arm is totally paralyzed; the throat muscles are almost totally paralyzed.

Neighbors testify that soldier has no real or personal property and no income other than his pension.

An increase to \$30 is recommended.

H. R. 15899. Patrick Meehan, aged 66 years, served as a first-class boy on U. S. S. *Vandalia*, *Beauregard*, and *Dale*, United States Navy, from September 19, 1864, to July 21, 1865 (10 months and 2 days), and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of fracture of right thigh, impaired vision of both eyes, and general debility.

Address, 2533 Franklin Street, Denver, Colo.

Board of surgeons, December 28, 1906, found age, injury of right thigh and leg, complete loss of sight of right eye, impaired sight of left eye, and disease of rectum.

Medical testimony is that applicant suffers from fracture of right thigh and impaired vision. He is entirely unable to do manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$24 a month is recommended.

H. R. 15975. Charles W. Ingersoll, aged 68 years, served as a private in Company I, Fiftieth Regiment New York Engineers, from August 26, 1861, to June 13, 1865 (3 years and 10 months), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of July 14, 1862, at \$10 per month by reason of disease of eyes and rheumatism.

Address, Addison, N. Y.

Medical examination on September 27, 1911, disclosed impaired vision, partial paralysis of right side, and that he is unable to perform manual labor and requires aid in dressing and undressing. A later examination was refused by Bureau of Pensions.

Dr. Eugene Bauer, December 2, 1911, describes condition the same as board of surgeons September 27, 1911.

Pensioner and neighbors say he lives on a little place of 23 acres assessed at its value of \$500, which would rent for \$35 a year; besides he owns a house and lot which, when rented, brings in \$3 a month; it is now vacant. He has a balance of \$7 in bank. This is all the property he possesses.

An increase to \$30 is recommended.

H. R. 16118. Mary A. Noble, aged 73 years, is the former widow of James Morris, who served as a private in Company E, Nineteenth Regiment Wisconsin Infantry, from January 27, 1862, to December 27, 1863 (1 year and 11 months); also served as a private in Company G, Forty-third Wisconsin Infantry, from September 19, 1864, to May 24, 1865 (8 months; total, 2 years and 7 months). Her second husband died August 3, 1909. He and applicant were married August 11, 1886. She had previously been married to James M. Morris, who died February 8, 1877.

The War Department reports that Morris had an honorable rebellion service, for which he received a pension, but no widow ever applied on his service.

Dr. J. H. Hogan, February 9, 1912, says applicant, by reason of age, is unable to perform manual labor.

Applicant and her witnesses say that she is not sick, but is old, and that she receives an annuity of \$150, provided by her former husband.

An allowance of \$12 is given.

H. R. 16130. Joseph B. Stevenson, aged 66 years, served as a private in Companies A and C, Seventh Regiment Missouri State Militia Volunteer Cavalry, from December 7, 1863, to July 11, 1865 (1 year 7 months and 4 days), and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of rheumatism and nasopharyngeal catarrh.

Address, Calhoun, Mo.

Board of surgeons, April 22, 1891, found general disability, rheumatism, and slight deafness of both ears.

Medical testimony is that applicant has chronic enlargement of prostate gland and hemorrhoids; that he is a physical wreck and unable to do any kind of manual labor. The sworn testimony of G. W. Little and John Holland shows that pensioner has no real estate or personal property and no income other than his pension.

An increase to \$30 is recommended.

H. R. 16276. Charles A. Allen, aged 69 years, served as a private in Company I, Third Regiment Massachusetts Volunteer Infantry, from September 22, 1862, to June 26, 1863 (nine months and four days), and is now a pensioner under the act of February 6, 1907, at \$12 per month.

He was formerly pensioned under the act of June 27, 1890, at \$8 per month by reason of rheumatism, sciatica, varicose veins of right leg, and disease of kidneys.

Address, Meredith, N. H.

Board of surgeons, July 15, 1903, found varicose veins of right leg, disease of urinary organs, disease of heart, trouble with eyes, and debility.

Medical testimony is that applicant has varicose veins of right leg, enlarged prostate gland, with bladder troubles, and rheumatism; is unable to do manual labor.

Other testimony is that applicant has no property and no means of support but his pension.

An increase to \$24 is recommended.

H. R. 16909. Leonard K. Manly, aged 68 years, served as a private in Company A, Fifth Regiment Vermont Volunteer Infantry, from September 16, 1861, to November 3, 1862, and as a corporal in Company M, First Regiment Vermont Volunteer Heavy Artillery, from August 3, 1863, to August 28, 1865 (total service, 3 years 2 months and 12 days), and is now a pensioner under the act of July 14, 1862, at \$14 per month for chronic rheumatism and resulting disease of rectum.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of chronic diarrhea and resulting disease of rectum and loss of right hand.

Address, Franklin, Vt.

Board of surgeons, February 1, 1911, found chronic diarrhea and resulting disease of rectum, heart disease, right inguinal hernia, right hand amputated about 2 inches above wrist from epithelioma (cancer), left hand has an epithelioma (cancer) on back 3 inches long by 1½ inches wide.

G. W. Burleson, under date of November 6, 1911, states that the applicant "has been afflicted with cancer, and has been slowly cut to pieces, and doing the best he could to work. Piece by piece he has had one side of his face cut off, the flesh cut from one side of his chest, one hand cut off, and has made his way during all this time with the assistance of his little pension and such little means as he had, besides caring for a blind wife; he has had to have his other arm cut off, and is to-day a pitiable object."

The Member introducing the bill, the late Hon. David J. Foster, of Vermont, states in a letter, "Mr. Manly's case is one of the most pitiful that has ever come to my attention."

An increase to \$40 a month is recommended.

H. R. 16930. Franz Enders, aged 74 years, served as a private in Company G, Fifth Regiment Missouri Volunteer Cavalry, from August 13, 1861, to July 18, 1862, and unassigned, Third Regiment Wisconsin Volunteer Cavalry, from January 4, 1864, to September 13, 1865 (total service 2 years 7 months and 14 days), and is now a

pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of July 14, 1862, at \$14 per month by reason of gunshot wound of neck and resulting atrophy of muscles of neck and right shoulder, and disease of eyes and resulting loss of sight of right eye.

Address, Mankato, Minn.

Board of surgeons, January 31, 1905, found right eye blind and vision of left eye much impaired.

Medical testimony is that applicant is blind in right eye; is very deaf; that right shoulder is sunken and there is some atrophy of the muscles; right leg is several inches shorter than left; general arteriosclerosis is present; is unable to do manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$36 a month is recommended.

H. R. 17047. Henry Farwick, aged 74 years, served as a private in Third Independent Company, Ohio Volunteer Cavalry, from July 4, 1861, to July 5, 1864 (3 years), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$10 per month by reason of double inguinal hernia, rheumatism, impaired vision, and senile debility.

Was prior thereto pensioned under the general law at \$8 for right inguinal hernia.

Address, 123 West Court Street, Cincinnati, Ohio.

Medical examination, November 2, 1904, showed the pensioned disabilities.

Dr. J. P. Reppert, January 18, 1912, says soldier is disqualified to do any work by age, arteriosclerosis, a serious rupture, senility, and debility.

Pensioner and his witness declare that the only real estate is his home, worth \$3,000, mortgaged at \$2,000; that he has no investments and no income but his pension.

An increase to \$30 is recommended.

H. R. 17072. Benton C. Smith, aged 70 years, served as a sergeant in Company C, Fourth Regiment Provisional Enrolled Missouri Militia Infantry, from May 2, 1862, to March 20, 1865 (2 years 10 months and 18 days), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of rheumatism and disease of digestive organs, rectum, and left leg.

Address, Republic, Mo.

Board of surgeons September 16, 1891, found chronic rheumatism, piles, and impaired condition of right leg.

Medical testimony is that applicant has rheumatism, disease of digestive organs, rectum, and left leg; he has also had a paralytic stroke; he is unable to do manual labor.

Two fellow townsmen testify that soldier has no real estate or personal property and is wholly dependent upon his pension for support.

An increase to \$30 is proper.

H. R. 17090. George S. Kittridge, aged 78 years, served as a private and corporal in Company A, Thirty-third Regiment Massachusetts Volunteer Infantry, from August 8, 1862, to June 11, 1865 (2 years 10 months and 3 days), and is now a pensioner under the act of February 6, 1907, at \$20 per month on account of age.

He was formerly pensioned under the act of July 14, 1862, at \$17 per month by reason of gunshot wound of left thigh, left varicocele, piles, and malarial poisoning.

Address, 211 Mystic Street, Arlington, Mass.

Board of surgeons May 27, 1911, found gunshot wound of left thigh, left varicocele, rheumatism, hernia (on each side is an oblique inguinal hernia), and disease of heart.

Medical testimony is that applicant has varicocele, inguinal hernia, piles, and rheumatism, and is blind in one eye; is unable to do manual labor.

It appears that applicant has no property and his income is his pension and \$6 per month State aid.

An increase to \$36 a month is recommended.

H. R. 17121. William E. Leonard, aged 81 years, served as a captain of the top in U. S. S. *Michigan*, United States Navy, from May 1, 1862, to April 24, 1865 (three years), and is now a pensioner under the act of February 6, 1907, at \$20 per month on account of age.

He was formerly pensioned under act of June 27, 1890, at \$12 for right inguinal hernia and disease of rectum, as shown by medical examination of March 25, 1891.

Address, 4518 Indiana Avenue, Chicago, Ill.

Dr. Cornelius Mackey, March 26, 1912, has treated sailor for the last five years, all of which time he has been confined to his house by sickness. He is totally blind, has a large inguinal hernia, and prostatic hypertrophy, which causes the constant use of a catheter.

Other affiants say he requires constant attention, has no property or income, and is dependent upon his pension and the generosity of his son-in-law for his living and medical attention.

An increase to \$36 is recommended.

H. R. 17164. Julia H. Abrigg, aged 61 years, is the widow of John J. Abrigg, who served as a first lieutenant in Company H, Eighteenth Regiment Missouri Infantry, from September 5, 1861, to July 18, 1865 (3 years and 10 months).

Soldier was pensioned under act of February 6, 1907, at \$12; prior thereto had been pensioned at \$8 under act of June 27, 1890. He died March 7, 1908.

Soldier and applicant were married November 14, 1865, and lived together until October 19, 1896, when on account of his excessive drinking habits she procured a divorce. Later, having reformed, he and she remarried June 30, 1898, and lived together until his death.

They lived as man and wife 31 years before their divorce and 10 years after their remarriage—41 years.

Her claim under act of April 19, 1908, has been rejected by the Bureau of Pensions.

Dr. J. S. Wallace, March 27, 1912, declares that applicant has valvular disease of heart and rheumatism of hands and arm, and consequently is unable to earn a living as housekeeper or seamstress.

Other neighbors testify that applicant owns a house and lot in which she lives, valued at \$600. She has household and personal property valued at \$700. The income from this property is \$75 a year.

In so far as whether this applicant has standing before your committee by reason of divorce from the soldier and subsequent marriage to him in 1898, precedents allow giving her a pension of \$12 a month. However, the question of dependence demands consideration before such action may be taken.

Due consideration being had, an allowance of \$12 a month is adjudged proper.

H. R. 17276. Edward Cotter, aged 67 years, served as a corporal in Company D, Tenth Regiment West Virginia Volunteer Infantry, from December 15, 1861, to March 16, 1865 (three years three months and one day), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$10 per month by reason of catarrh, rheumatism, disease of kidneys, loss of sight of left eye, and indigestion.

Address, Reedsville, W. Va.

Board of surgeons, July 19, 1905, found catarrh, rheumatism, loss of sight of left eye, indigestion, impaired hearing, lumbago, and general debility.

Medical testimony is that applicant has cardiac insufficiency; shows a wound; is very feeble; is unable to do manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$30 a month is recommended.

H. R. 17399. Josiah M. Brewer, aged 69 years, served as a private in Company A, Eighty-fourth Regiment Indiana Volunteer Infantry, and in Company G, First Regiment United States Veteran Volunteer Engineers, from August 7, 1862, to June 30, 1865 (2 years 10 months and 23 days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$8 per month by reason of disease of eyes and enlarged prostate gland.

Address, 1334 Second Avenue, Davenport, Iowa.

Board of surgeons, January 5, 1898, found disease of eyes, rheumatism, and enlarged prostate gland.

Medical testimony is that applicant had a stroke of paralysis seven months ago; his right eye is totally blind; slight vision in the left; falls to the floor when he attempts to walk; has hardening of the arteries; is unable to work.

Other testimony is that applicant has property valued at from \$1,200 to \$1,400, mortgaged for \$1,000, and has no other property and no income but his pension.

An increase to \$30 a month is recommended.

H. R. 17405. Mary A. O'Neil, aged 62 years, is the widow of William O'Neil, who served as a private in Company L, First Regiment Wisconsin Heavy Artillery, from August 30, 1864, to June 26, 1865 (10 months); soldier was pensioned at \$12 under the act of June 27, 1890, and he died October 18, 1907. The applicant, his widow, is

pensioned under the amended act of June 27, 1890, and now receives \$12 a month. She and soldier were married September 12, 1878.

Address, Andrew, Iowa.

Two physicians, January 29, 1912, say that the infirmities of age render her incapable of doing work and earning the necessities of life; that she has always been an energetic worker and is now incapacitated; that she is not worth a dollar outside of her pension.

Two neighbors testify that she is no longer able to support herself by labor and that her pension is insufficient; that she has no real estate or money.

Unable to work and destitute, an increase to \$20 may be allowed.

H. R. 17419. William H. Orcutt, aged 66 years, served as a musician in Company H, Thirty-third Regiment Wisconsin Volunteer Infantry, from August 22, 1862, to August 9, 1865 (3 years less 13 days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$6 per month by reason of bronchitis and rheumatism.

Address, Conrad, Mont.

Board of surgeons, November 27, 1901, found pensioned causes.

Medical testimony is that applicant, by reason of paralysis of left side, is unable to do manual labor.

Other testimony is that applicant is not assessed for any property; also that he has been entirely dependent upon his pension for a support.

An increase to \$30 a month is recommended.

H. R. 17518. Mary A. Barrows, aged 55 years, is the widow of James H. Barrows, who served as first sergeant in Company F, Twenty-third Regiment Maine Infantry, from September 10, 1862, to July 15, 1863 (2 years and 10 months). Soldier was pensioned at \$20 a month under act of February 6, 1907, and died April 20, 1909. The pension accrued at the date of his death was paid to this widow. She and soldier were married October 1, 1894.

As he was never pensioned under the general law and has no record of disability contracted in the service, it is apparent that the widow could not establish pension under the general law; and as she did not marry soldier until subsequent to June 27, 1890, she has no status under the act of April 19, 1908.

Dr. John F. Thompson, July 11, 1911, testifies to performing operation for removal of a cystic tumor of ovarian origin, and that at present there is a mass in left side of lower abdomen, the nature of which he is unable to say. Prior to this operation, in 1905, she had been operated upon July, 1892. The records of the Maine Insane Hospital show that soldier's first wife was twice an inmate thereof and died there December 28, 1891. Applicant's first husband was divorced from her February 22, 1893.

Applicant and two neighbors say that she is absolutely deaf, is in poor health, has no income, and is dependent upon others for support. She has not remarried since soldier's death.

An allowance of \$12 a month may be granted.

H. R. 17530. William C. Medbery, aged 75 years, served as a private in Company F, First Regiment Nevada Volunteer Cavalry,

from March 18, 1864, to November 18, 1865 (one year and eight months), and is now a pensioner under the act of February 6, 1907, at \$20 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of chronic diarrhea, double inguinal hernia, disease of eyes, and general debility.

Was formerly pensioned under the act of July 14, 1862, at \$8 per month for chronic diarrhea and resulting disease of rectum.

Address, Veterans' Home, Napa, Cal.

Board of surgeons, January 2, 1901, found disease of eyes, double inguinal hernia, and general debility.

Medical testimony is that applicant has double indirect inguinal hernias, small tumor on left testicle, and chronic diarrhea and disease of rectum; is unable to do manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$30 a month is recommended.

H. R. 17566. John B. Berry, aged 66 years, served as a private in Company D, Seventh Regiment Minnesota Infantry, from August 16, 1862, to August 16, 1865 (three years), and is now a pensioner under the act of July 14, 1862, at \$14 per month on account of malarial poisoning.

Address, Dakota, Minn.

Medical examination, April 19, 1911, describes malarial poisoning, disease of heart and kidneys, hemiplegia right side, and is totally disabled for the performance of manual labor.

Increase denied by Bureau of Pensions May 9, 1911.

Dr. O. F. Gile, April 4, 1912: Partial paralysis of right side, muscles of right arm and leg atrophied, pains in head, with confusion of mind.

According to pensioner's statement, he appears to have an income of \$300 a year outside of his pension of \$14 a month, which he says is insufficient to support two in the family.

An increase to \$30 is allowed.

H. R. 17606. Daniel J. Evans, aged 67 years, served as a private in Company C, Fifty-sixth Regiment Ohio Volunteer Infantry, from January 4, 1862, to September 22, 1864 (2 years 8 months and 18 days; discharged on surgeon's certificate of disability), and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of rheumatism, general debility, and disease of heart.

Address, 5015 Penn Avenue, Pittsburgh, Pa.

Board of surgeons, February 6, 1905, found disease of lungs, valvular disease of heart, rheumatism, albuminuria, and general debility.

Medical testimony is that applicant, as the result of fractures sustained in falls, is unable to do manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$30 a month is recommended.

H. R. 17624. Elizabeth Kemble, aged 78 years, is the widow of Isaac B. Kemble, who served as a private in Company D, Sixty-eighth Regiment Pennsylvania Infantry, from July 28, 1862, to July 8, 1863 (one year).

Soldier died of wounds received at Gettysburg; wounded July 3, and died July 8, 1863. He and applicant were married October 30, 1853. She has been pensioned under the general law since the date of soldier's death.

Dr. C. L. Hawkins, February 17, 1912, testifies that pensioner suffers from loss of use of right arm, due to old fracture, and from vertigo. She has no income but her pension. She is living with her son who is in poor health.

John B. Skirm also says she has no income except her pension of \$12 a month.

An increase to \$20 is due this very old widow who lost her husband at Gettysburg, and is now helpless and destitute.

H. R. 1771. James Mitchell, aged 69 years, served as a private in Company C, Ninety-ninth Regiment New York Infantry, from September 10, 1861, to October 29, 1864 (three years and one month), and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of disease of heart and right inguinal hernia.

Address, Veterans' Home, Napa, Cal.

Medical examination, March 19, 1902, disclosed disease of heart and slight deafness right ear.

Dr. Benj. Apple, December 9, 1911, testifies that pensioner is suffering from right inguinal hernia, chronic sciatica of left side, chronic indigestion and constipation, nasal catarrh, sprained left ankle, and enlarged prostate, and he is unable to do any physical labor.

Pensioner and witnesses testify that he has no property whatever and no income other than his pension.

An increase to \$30 is recommended.

H. R. 17909. Christina Bates, aged 65 years, is the former widow of Jacob Nohl, who served as a private in Company K, Thirty-seventh Regiment Ohio Volunteer Infantry, from August 8, 1862, to June 21, 1865 (34 months).

Claimant's address, 614 Hamilton Street, Toledo, Ohio.

The soldier was never pensioned.

The applicant's claim, under act of June 27, 1890, was rejected by the Bureau of Pensions, on the ground of no title under said act, inasmuch as she had remarried to one John Bates prior to the passage of the act.

The soldier had been previously married, but was divorced on November 7, 1868. He was married to the claimant on December 31, 1868. He died August 14, 1880. Claimant was remarried on March 11, 1882, to John Bates, who died September 12, 1902.

The medical and lay testimony and record filed in support of this bill shows that claimant is unable to perform manual labor; and that her means of support is the revenue from a small house in Toledo, Ohio, valued at \$1,340, from which must be deducted taxes, insurance, and repairs, necessarily leaving a very small margin (wholly inadequate to maintenance of claimant).

The claimant has no status under the general law, as the death of soldier was not a result of his Army service; and her remarriage prior to June 27, 1890, bars her from the benefits of that act. But in considering this claim certain points should not be lost sight of.

The soldier's service was a long and honorable one; the claimant bore to him a large family; that she is now in needy circumstances; that she is old and enfeebled.

We believe this claim is clearly one where a reasonable exercise of justice and charity to a deserving and needy widow will warrant the passage of this bill.

A rating of \$12 per month is recommended.

H. R. 17989. Josiah H. Newland, aged 72 years, served as a private in Company G, Thirty-seventh Regiment Kentucky Mounted Volunteer Infantry, from October 19, 1863, to December 29, 1864 (1 year 2 months and 1 day), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$10 per month by reason of gunshot wound of left knee and resulting varicose veins, rheumatism, disease of rectum, and senile debility.

Was formerly pensioned under the act of July 14, 1862, at \$8 per month for gunshot wound of left knee and resulting varicose veins. Address, Slick Rock, Ky.

Board of surgeons, June 1, 1904, found gunshot wound of left knee, rheumatism, fistula, and rapid heart.

Medical testimony is that applicant has varicose veins of left leg, and stiffness of left knee, the result of gunshot wound; has injury of right hand, so that it is practically useless; has hemorrhoids; he is unfitted for manual labor; his disability being total.

Two neighbors say soldier owns a poor farm, worth \$800, mortgaged in the sum of \$316.37, with a credit of \$50; that the total value of his real estate and personal property is \$1,493.63; his indebtedness, \$516.37, leaving an equity of \$977.26.

An increase to \$24 is recommended.

H. R. 17990. Edward B. Bishop, aged 66 years, served as a private in Company A, Thirtieth Regiment Kentucky Volunteer Infantry, from October 25, 1863, to April 18, 1865 (one year and five months), and is now a pensioner under the act of July 14, 1863, at \$17 per month for injury to back, disease of lungs, chronic diarrhea, and disease of rectum.

Address, Horn Cone, Ky.

Medical examination, August 5, 1908, shows colpitis, complete left inguinal hernia; no other disabilities found. The Pension Bureau rejected increase on this finding.

Dr. D. C. Donan, February 29, 1912, says that rupture of left side, advanced years, and rheumatism entitle him to increase by Congress. Dr. W. T. Pace declares the above disabilities disable him to the extent that he can do but one-fourth of the labor an able-bodied man can do.

Lay testimony is to the effect that pensioner owns a house and lot worth \$600 and household furniture of the value of \$200. This is all the property he possesses.

A rating of \$24 may be allowed.

H. R. 18083. Joseph Kenney, aged 88 years, served as a private in Company I, Twentieth Regiment Ohio Volunteer Infantry, from February 22, 1864, to March 8, 1865; also prior service in Company

D, Twenty-seventh Regiment Ohio Volunteer Infantry, from July 20, 1861, to December 7, 1861 (total service, one year six months and three days), and is now a pensioner under the act of July 14, 1862, at \$24 per month on account of varicose veins of left leg and resulting ulcers.

Discharged from both services for disability.

Address, Graysville, Ohio.

Board of surgeons, March 30, 1909, found pensioned cause, and rated at \$50 per month.

Medical testimony is that applicant has varicose ulcers of both legs, has no use of his legs below the knees, has disease of heart and kidneys, impaired vision and hearing, and needs constant care of another person.

Other testimony is that applicant has no property except his household goods and no income but his pension.

An increase to \$36 a month is recommended.

H. R. 18297. Henry B. Moon, aged 76 years, served as a private in Company D, Twenty-seventh Regiment Michigan Volunteer Infantry, from March 3, 1864, to July 26, 1865 (1 year 4 months and 23 days), and is now a pensioner under the act of February 6, 1907, at \$20 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of chronic diarrhea and disease of rectum and rheumatism.

Address, R. D. 10, Box 91, Fresno, Cal.

Board of surgeons, June 18, 1890, found diarrhea, piles, varicose veins, and rheumatism.

Medical testimony is that applicant has rheumatism so that he is barely able to get around by the use of crutches and is unable to perform labor.

Two neighbors swear that pensioner owns no real or personal property and has no income other than his pension, and that he is totally incapacitated.

An increase to \$30 is recommended.

H. R. 18510. John Staiger, aged 66 years, served as a private in Company F, One hundred and eighty-seventh Regiment Ohio Volunteer Infantry, from January 20, 1865, to January 20, 1866 (one year), and is now a pensioner under the act of June 27, 1890, at \$12 per month for rheumatism, disease of heart and stomach, and asthma.

Address, Chillicothe, Ohio.

Board of surgeons, October 3, 1906, found rheumatism, disease of heart, asthma, and disease of stomach.

Medical testimony is that applicant, due to heart trouble, is unable to do manual labor.

The Member introducing the bill states that the applicant has no property and no income except his small pension.

An increase to \$30 a month is recommended.

H. R. 18544. Theresia Bell, aged 81 years, is the widow of Anthony Bell, who served as a corporal in Company B, Forty-fifth Regiment Wisconsin Infantry, from October 13, 1864, to July 17, 1865 (9 months). Soldier was pensioned under the act of June 27, 1890, at \$12 a month. He died September 17, 1902. He and applicant

were married May 16, 1850. She was pensioned under the act of June 27, 1890, at \$8 per month and increased to \$12 from February 6, 1907, by special act.

Dr. A. A. Mesch, February 6, 1912, testifies that applicant is suffering from senile cataracts and is almost blind.

Two neighbors make oath that she is almost totally blind; that besides her pension she owns a house and lot valued at \$1,300, and owns a mortgage of \$2,000, drawing 4 per cent per annum; and that she needs a constant attendant.

Address, Saukville, Wis.

Her great age and helplessness warrant an increase to \$20.

H. R. 18684. Albert N. Hopkins, aged 76 years, served as a musician in regimental band, Second Regiment Michigan Volunteer Cavalry, from September 2, 1861, to April 23, 1862 (7 months and 21 days), and is now a pensioner under the act of February 6, 1907, at \$20 per month on account of age.

He was formerly pensioned under the act of July 14, 1862, at \$8 per month by reason of disease of lungs.

Address, Duluth, Minn.

Board of surgeons, December 7, 1887, found pensioned cause.

Medical testimony is that applicant has lost sight of right eye and that the vision of left eye, due to chronic simple glaucoma, is very poor. Is unable to do manual labor.

Other testimony is that applicant's support is his pension.

An increase to \$24 a month is recommended.

H. R. 18693. William McKee, aged 80 years, served as a private in Company D, Seventh Regiment Kentucky Volunteer Cavalry, and in Company H, Sixth Regiment Kentucky Volunteer Cavalry, from September 21, 1864, to September 6, 1865 (1 year less 15 days), and is now a pensioner under the act of February 6, 1907, at \$20 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of total inability to earn a support by manual labor.

Address, Alpine, Ky.

Board of surgeons, June 4, 1902, found rheumatism and disease of testicles.

Medical testimony is that applicant, by reason of kidney disease and lumbago, is unable to do manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$30 a month is recommended.

H. R. 18699. Ellen R. Stearns, aged 74 years, is the widow of Charles E. Stearns, who served as a private in Company F, One hundred and thirtieth Regiment Illinois Infantry, from August 7, 1862, to June 17, 1865 (2 years and 10 months).

Soldier was pensioned under the general law at \$8 for piles and resulting fissures in anus. He died April 6, 1885. This widow and five children were placed on the rolls until the children respectively became 16 years old; she now receives \$12 a month. She and soldier were married December 30, 1859.

Address, Greenville, Ill.

Dr. K. B. Luzader testifies the pensioner is suffering with diabetes mellitus and lumbago, which renders her unfit for any physical exertion, her condition being such that she must have an attendant continually.

Pensioner and two other affiants testify that she owns no property other than a small dwelling, her home, and has no income or support but her pension.

A "war widow," left a widow with five small children, now of advanced age, and helpless, an increase to \$20 a month is justified.

H. R. 18702. Isadore Shell, aged 67 years, served as a musician in Company A, One hundred and eleventh Regiment Ohio Volunteer Infantry, from August 9, 1862, to September 10, 1863 (one year one month and one day)—discharged on surgeon's certificate of disability and is now a pensioner under the act of July 14, 1862, at \$17 per month on account of disease of heart.

Address, Sawtelle, Cal.

Board of surgeons, March 1, 1911, found pensioned cause, also prematurely aged, teeth gone, arcus marked.

Medical testimony is that applicant has mitral stenosis, arteriosclerosis, and has frequent attacks of heart stroke. Is unable to do manual labor; has frequent spells of fainting and weakness so that he is obliged to keep an attendant with him for weeks at a time.

The Member introducing the bill states that the applicant is absolutely destitute.

An increase to \$36 a month is recommended.

H. R. 18729. Amos Point, aged 67 years, served as a private in Company F, Sixty-fourth Regiment Ohio Volunteer Infantry, from November 6, 1861, to December 10, 1864, and as sergeant in Company E, One hundred and ninety-second Regiment Ohio Volunteer Infantry, from February 22, 1865, to September 1, 1865 (total service, 3 years 7 months and 13 days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$8 per month by reason of disease of heart and rectum and general debility.

Address, Fort Jennings, Ohio.

Board of surgeons, June 3, 1896, found injury to left leg, piles, and pterygium of right eye.

Medical testimony is that applicant, by reason of stiffness of left leg, is obliged to use crutches, and is incapacitated for manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$30 a month is recommended.

H. R. 18755. Madison Keck, aged 67 years, served as a private in Companies F and E, Eighth Regiment Kentucky Volunteer Infantry, from September 17, 1861, to November 17, 1864 (three years and two months), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$10 per month by reason of gunshot wound of left leg, rheumatism, disease of heart and eyes, and senile debility.

Was formerly pensioned at \$6 per month under the act of July 14, 1862, for gunshot wound of left leg.

Address, New Maysville, Ind.

Board of surgeons, June 22, 1910, found gunshot wound of left leg and disease of eyes, and rated at \$24 per month.

Medical testimony is that applicant is totally blind in right eye; it is only a question of months when the sight of left eye will be gone. He also suffers from pain produced by gunshot wound in left leg; is unable to do manual labor.

The county auditor certifies that soldier is assessed at \$350 on 40 acres of land, on which is a mortgage of \$800. Two neighbors testify that his real estate is worth \$1,140 at a fair valuation; that it is encumbered for \$900; that he has \$100 of personal property and no income.

An increase to \$30 is recommended.

H. R. 18872. William Crouse, aged 68 years, served as a private in Company G, Seventh Regiment Pennsylvania Reserve Volunteer Infantry, from May 26, 1861, to July 12, 1865 (4 years 1 month and 16 days), was a prisoner of war, and is now a pensioner under the act June 27, 1890, at \$12 per month for disease of heart, liver, and stomach, and varix of left leg.

He was formerly pensioned under the act of July 14, 1862, at \$4 per month by reason of chronic diarrhea, and loss of teeth resulting from scurvy.

Address, 1218 Market Street, Philadelphia, Pa.

Board of surgeons, December 19, 1890, found chronic diarrhea, loss of teeth, heart disease, and varicose veins.

Medical testimony is that applicant has complete paralysis on both sides of his body.

Other testimony is that applicant has no means. He has a pension of \$12 a month.

An increase to \$36 a month is recommended.

H. R. 18873. James H. Owings, aged 63 years, served as a private in Company K, One hundred and thirty-second Regiment Indiana Volunteer Infantry, from May 4, 1864, to September 7, 1864 (four months and three days), and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of gunshot wound of left wrist.

Address, Boone, N. C.

Board of surgeons, March 11, 1891, found pensioned cause.

Medical testimony is that applicant has dilatation of heart, intermittent pulse, dyspnea, edema, and varicose veins of both legs; direct inguinal hernia of the right side, not retained by truss; has ankylosis of left wrist; is unable to do manual labor.

It appears that his pension is applicant's only income.

An increase to \$20 a month is recommended.

H. R. 18923. John Nickolson, aged 67 years, served as a private in Company F, Eleventh Regiment Pennsylvania Reserve Volunteer Infantry, and in Company C, One hundred and ninetieth Regiment Pennsylvania Volunteer Infantry, from July 25, 1861, to June 12, 1865 (3 years 10 months and 17 days), was a prisoner of war, and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$6 per month by reason of disease of rectum, rheumatism, and resulting disease of heart.

Address, Fairchance, Pa.

Board of surgeons, January 13, 1904, found rheumatism and gastro-intestinal catarrh (disease of stomach).

Medical testimony is that applicant, by reason of impaired eyesight, is unable to do manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$30 a month is recommended.

H. R. 19012. John R. Estes, aged 73 years, served as a private in Company C, One hundred and twenty-second Regiment Illinois Volunteer Infantry, from August 15, 1862, to July 15, 1865 (2 years and 11 months), and is now a pensioner under the act of February 6, 1907, at \$15 per month.

He was formerly pensioned under the act of June 27, 1890, at \$8 per month by reason of piles, disease of digestive organs, rheumatism, and disease of heart.

Address, Snyder, Okla.

Board of surgeons May 30, 1900, found rheumatism, lumbago, impaired sight, impaired hearing, and nervous and general debility.

Dr. A. Müller, April 2, 1912, testified that pensioner had a paralytic stroke which causes him to drag his feet; also has painful internal hemorrhoids. Dr. J. A. Miller finds arteriosclerosis.

Other witnesses testify that soldier possesses no real estate or personal property and no income but his pension.

An increase to \$30 is recommended.

H. R. 19103. William A. Young, aged 67 years, served as a private in Company C, One hundred and sixteenth Regiment Pennsylvania Volunteer Infantry, from June 11, 1862, to August 11, 1865 (three years and two months), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$8 per month by reason of general debility, result of scurvy, and disease of stomach.

Was formerly pensioned under the act of July 14, 1862, at \$6 per month for general debility, result of scurvy.

Address, National Soldiers' Home, Va.

Board of surgeons January 8, 1904, found loss of teeth, rheumatism, and senility.

Was a prisoner of war.

D. H. Tobin and W. F. Withers testify that pensioner is totally unable to perform any manual labor; that he complains of scurvy, rheumatism, and heart trouble; that he has no property, real, personal, or mixed, and no income but his pension.

An increase to \$30 is recommended.

H. R. 19162. Susan Reed, aged 63 years, is the widow of Calvin Reed, who served as a private in Company A, First Regiment Tennessee Volunteer Mounted Infantry, from December 18, 1863, to January 30, 1865, and in Company A, Eighth Regiment Tennessee

Volunteer Mounted Infantry, from March 6 to August 17, 1865: total service, 1 year 6 months and 23 days.

Soldier was pensioned under the act of June 27, 1890, at \$12 per month. Applicant is pensioned under same act at \$12 per month.

Address, R. F. D. No. 2, Lafayette, Tenn.

Applicant was married to soldier November 2, 1864. Is a "war widow."

Soldier died August 22, 1903.

Medical testimony is that applicant is totally blind.

Other testimony is that applicant has property worth \$250 and no income but her pension.

An increase to \$20 a month is recommended.

H. R. 19198. Bridget Sheil, aged 67 years, is the widow of Michael Sheil, who served as an officer's cook on U. S. S. *North Carolina*, United States Navy, from February 15, 1862, to August 27, 1862 (6½ months). He had an anterebellion service of three years.

Address, 37 Catherine Street, New York.

Sailor never applied for pension, but the applicant has been pensioned ever since June 30, 1893. She now receives \$12 a month. She and sailor were married March 2, 1862. He died March 6, 1890.

Dr. J. G. Coyle, February 23, 1912, says that in August, 1911, he was called to treat her and found her suffering from a paralytic stroke, rendering useless her right arm and leg.

She is supported by her son, as shown by ample testimony on file, he paying her doctor bills and taking care of her; also that she is failing rapidly.

An increase to \$20 under these circumstances is justified by numerous precedents.

H. R. 19263. Charles Dillon, aged 65 years, served as a private in Company G, Thirteenth Regiment West Virginia Infantry, from January 16, 1864, to May 19, 1865 (one year and four months), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the general law at \$10 for disease of lungs, result of measles, and chronic diarrhea.

Address, Central City, W. Va.

The pensioned disabilities were shown on medical examination of August 16, 1905.

Dr. G. W. Adams, January 29, 1912, says he has treated pensioner for 20 years for lung disease and chronic diarrhea, which totally incapacitate him for manual labor.

Other testimony shows that he has no property whatever and no means of support but his pension.

An increase to \$30 a month is recommended.

H. R. 19273. James T. Campbell, aged 77 years, served as a private in Company F, First Battalion, Eighteenth Regiment United States Infantry, from April 24, 1861, to July 29, 1861, and from September 24, 1862, to September 26, 1865 (three years and three months), and is now a pensioner under the act of February 6, 1907, at \$20 per month on account of age.

He was formerly pensioned under the act of July 14, 1862, at \$17 per month by reason of chronic diarrhea, hemorrhoids, and disease of lungs.

Address, Brookville, Pa.

Medical examination, February 7, 1906, showed the pensioned disabilities and disease of heart.

Dr. J. K. Brown, January 26, 1912, testified that he has treated soldier for chronic diarrhea, piles, and disease of heart, bronchial catarrh, and varicose veins, all of which, with his age, prevent manual labor.

Neighbor deposes and says that he has no real estate and no income other than his pension, is much confined to his bed, and under physician's care.

His advanced age, long service, grievous illness, and destitution warrant a rating of \$40.

H. R. 19432. Jacob Spanagel, aged 66 years, served as a private in Company H. Fifty-fourth New York Infantry, and in Company C, Third United States Volunteer Infantry, from September 22, 1862, to April 29, 1864, and from April 1, 1865, to April 12, 1866 (two years and seven months), and is now a pensioner under the act of February 6, 1890, at \$12 per month on account of age. Was formerly pensioned under the act of June 27, 1890, at \$10. Prior thereto under the general law, and in 1909, he was rated under said law at \$12 for gunshot wounds of right shoulder, left hip, and left knee.

Address, 228 East Twenty-second Street, New York City. Medical examination, February 3, 1909, disclosed the slight wounds, rheumatism, disease of heart and nasopharyngeal catarrh.

Dr. Wm. Richter, February 10, 1912, says that the wounds received during the war have caused stiffness of the contused joints, and rheumatism has added to his sufferings.

He and witnesses depose that soldier assists his wife in doing the janitor's work of the building in which they live; soldier can do no heavy work or any work requiring sustained effort.

An increase to \$30 is warranted.

H. R. 19438. George H. Merrill, aged 74 years, served as a second lieutenant in Company H. Thirty-seventh Regiment Illinois Infantry, from August 16, 1861, to May 15, 1866 (four years and nine months), and is now a pensioner under special act at \$24 per month.

He was formerly pensioned under the act of July 14, 1862, at \$15 per month by reason of rheumatism and resulting disease of heart. Medical examination, October 7, 1908, shows rheumatism of the large joints, disease of heart, senility, and double inguinal hernia.

Address, Belvidere, Ill.

Testimony recently filed shows that as the result of an accident July 4, 1909, the pensioner's skull was fractured, and since then his mind has weakened until he is now a mental imbecile unable to transact business; is unable to dress or undress himself, or to comply with the calls of nature; that he is dependent upon his pension and the charity of friends and relatives for support.

An increase to \$50 is allowed.

H. R. 19458. John Flanagan, aged 73 years, served as a sergeant in Company C. First Regiment Rhode Island Volunteer Light Artillery, from August 25, 1861, to August 30, 1864 (three years and five days),

and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$10 per month by reason of disease of heart and senile debility.

Address, 392 Benefit Street, Providence, R. I.

Board of surgeons, February 19, 1906, found pensioned disabilities.

Medical testimony is that applicant is partially paralyzed and is unable to do manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$30 a month is recommended.

H. R. 19517. Isaac A. Baker, aged 71 years, served as a private in Company H, First Regiment Minnesota Volunteer Infantry, from May 22, 1861, to August 6, 1861, and in Company C, Thirty-second Regiment Iowa Volunteer Infantry, from December 22, 1863, to April 20, 1866 (2 years 6 months and 22 days), and is now a pensioner under the act of July 14, 1862, at \$17 per month for disease of stomach.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of disease of eyes and stomach and disease of heart.

Address, 4215 Gordon Street, Fruitdale, Cal.

Board of surgeons, February 7, 1911, found senility, gastro-intestinal indigestion, disease of eyes, bladder, and prostate gland.

Medical testimony is that applicant is almost totally blind; has paralysis of left side, chronic gastritis, and constipation; and is unable to do manual labor.

Other testimony is that applicant has a house (a four-room frame cottage), against which there is a mortgage of \$650, and his income is his pension.

An increase to \$36 a month is recommended.

H. R. 19559. Timothy Pasho, aged 70 years, served as a private in Company G, Second Regiment Massachusetts Volunteer Infantry, from May 11, 1861, to May 24, 1864 (3 years and 13 days), and is now pensioned under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of July 14, 1862, at \$10 per month by reason of gunshot wound of left arm and varicose veins of left leg.

Address, Box 158 North Billerica, Mass.

Board of surgeons, April 24, 1901, found gunshot wound of left arm and varicose veins of left leg and of right leg.

Medical testimony is that applicant, on October 26, 1911, was thrown from a wagon and trampled by a horse; his left arm was broken and the joint crushed, and he had considerable internal hemorrhage. He also suffered a compound fracture of the wrist of the right hand; the hand was all but severed from the arm, there being a cutting of the tendons and the radial artery and its branches. He requires constant aid, being totally unable to feed himself. The physician states that, in his opinion, the applicant is helpless and will remain so for the remainder of his life. Two neighbors who have known soldier for 50 years testify that he owns a house which

he occupies as a home, which yields no income; that he receives \$6 per month State aid and \$12 pension, and has no other income.

An increase to \$36 is recommended.

H. R. 19576. James O. Hamilton, aged 83 years, served as a corporal and sergeant in Company D, One hundred and first Regiment Illinois Volunteer Infantry, and Ninety-seventh Company, Second Battalion Veteran Reserve Corps, from August 4, 1862, to August 2, 1864 (two years less two days), and is now a pensioner under the act of February 6, 1907, at \$20 per month on account of age.

He was formerly pensioned under the act of July 14, 1862, at \$17 per month by reason of chronic diarrhea and piles and debility.

Address, Loami, Ill.

Board of surgeons, December 6, 1911, found pensioned causes. The board stated as follows: "The claimant is so totally and permanently helpless from senile cataract that he requires the regular personal aid and attendance of another person." The board rated at \$50 a month.

Other testimony is that applicant has property worth about \$1,500 and that his income is his pension.

In view of his long service, his age, and the fact that it is necessary for him to have an attendant, an increase to \$40 a month is recommended.

H. R. 19589. Mollie C. Zimmerman, aged 68 years, is the widow of Lewis M. Zimmerman, who served as a private, corporal, first sergeant, second lieutenant, and captain in Companies A and K, First Regiment Potomac Home Brigade, Maryland Volunteer Cavalry, from August 10, 1862, to June 28, 1865 (2 years 10 months and 18 days). Was a prisoner of war.

Soldier was pensioned under the act of February 6, 1907, at \$12 per month for age.

Was formerly pensioned under the act of June 27, 1890, at \$8 per month. Was formerly pensioned under the act of July 14, 1862, at \$6 per month.

Applicant is pensioned under the act of April 19, 1908, at \$12 per month.

Address, 221 North Market Street, Frederick, Md.

Applicant and soldier were married April 4, 1864; is a "war widow."

Soldier died December 18, 1909.

Medical testimony is that applicant is confined to her room by paralysis; is absolutely helpless.

Other testimony is that she has no property and no income save her pension.

An increase to \$20 per month is recommended.

H. R. 19606. David T. McFarland, aged 70 years, served as a private in Company F, Sixth Regiment Iowa Volunteer Infantry, from July 12, 1861, to June 17, 1862 (11 months and 5 days); discharged on surgeon's certificate of disability, and is now a pensioner under the act of July 14, 1862, at \$17 per month for gunshot wound of left shoulder and disease of lungs.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of rheumatism, nasopharyngitis, piles, and general debility.

Address, Hutchinson, Kans.

Board of surgeons, January 20, 1909, found gunshot wound, disease of lungs, disease of heart, and incomplete ventral hernia.

Medical testimony is that applicant has diarrhea, piles, and rupture; has functional heart trouble; has chronic cystitis; is weak and nervous; is wholly unable to do manual labor.

Other testimony is that his house and lot is all that applicant owns, and that his income is his pension.

An increase to \$30 a month is recommended.

H. R. 19629. Franz Bauman, aged 80 years, served as a private in Company G, Seventeenth Regiment Missouri Volunteer Infantry, and in Sixty-second Company, Second Battalion Veteran Reserve Corps, from September 25, 1861, to June 17, 1864 (2 years 8 months and 22 days); discharged on surgeon's certificate of disability, and is now a pensioner under the act of February 6, 1907, at \$20 per month on account of age.

He was formerly pensioned under the act of July 14, 1862, at \$14 per month by reason of nervous prostration, result of sunstroke, and rheumatism.

Address, Box 142, R. F. D., Tacoma, Wash.

Board of surgeons, May 4, 1904, found sunstroke, disease of heart, and disease of bladder.

Medical testimony is that applicant is unable to do manual labor; for the past three months he has been bedridden, requiring constant care and attendance of another person; he has violent pains in the head, palpitation of heart, insomnia, and is in an extremely nervous condition.

The county treasurer certifies that pensioner has some lots in South Tacoma, assessed in sum total at \$767. Other witnesses say he owns a little house on one of these lots which, with the lot, is worth \$400; that his personal property is worth \$50; that he makes and peddles soap, and has no appreciable income from his lots and soap, his income being his pension. His extreme age, his long and honorable service, and his present afflictions make proper an increase to \$36.

H. R. 19644. John G. A. Fries, aged 72 years, served as a private in Company B, Seventh Regiment Pennsylvania Volunteer Infantry, from April 15, 1861, to August 5, 1861, and in Company F, Sixty-second Regiment Pennsylvania Volunteer Infantry, and in Company G, One hundred and fifty-fifth Regiment Pennsylvania Volunteer Infantry, from August 23, 1862, to June 22, 1865 (total service 3 years and 29 days), and is now a pensioner under the act of February 6, 1907, at \$15 per month.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of nearly total deafness of right ear, injury of left hand, and gunshot wound of head.

Was formerly pensioned under the act of July 14, 1862, at \$2 per month for gunshot wound of head.

Address, 2330 Fifth Avenue, Pittsburgh, Pa.

Board of surgeons, August 21, 1908, found no rating.

Medical testimony is that applicant is very deaf, badly crippled in right leg, and unable to do manual labor.

Other testimony is that applicant has household goods valued at \$50 and no income but his pension.

An increase to \$30 a month is recommended.

H. R. 19729. Mary F. Doll, aged 65 years, is the widow of John Doll, who served as a private in Company F, Sixteenth Regiment Indiana Infantry, from September 24, 1864, to June 30, 1865 (nine months).

Soldier was pensioned under the general law at \$17 for injury to right leg and rheumatism and resulting disease of heart. The accrued pension due at date of soldier's death—October 5, 1898—was paid to applicant, but her claim under the general law was rejected November 10, 1911, on the ground that soldier's fatal cerebral hemorrhage could not be accepted as due to his pensioned disabilities nor otherwise shown as due to his military service.

Applicant has no title under act of April 19, 1908, as she married soldier August 30, 1890.

Address, 1537 Linn Street, Cincinnati, Ohio.

Dr. J. B. Grothaus testifies that applicant has lumbago of a severe type, chronic gastritis, and is totally disabled for the performance of manual labor.

Applicant and her witnesses say the only property she owns is \$800 in savings bank drawing 3 per cent; that she has supported herself by sewing until indigestion, failing eyesight, rheumatism, and the infirmities of age prevented.

As she married soldier just two months after June 27, 1890, following precedents a pension of \$12 a month may be granted.

H. R. 19937. Richard F. Nunn, aged 68 years, served as a private in Company K, Third Regiment Kentucky Volunteer Infantry, from July 1, 1861, to June 17, 1862 (11½ months), and is now a pensioner under the act of July 14, 1862 at \$12 per month on account of chronic diarrhea and resulting piles.

Address, Orla, Mo.

Medical examination, June 3, 1908, revealed pensioned causes, eye trouble (conjunctivitis), and injury to head.

Dr. J. M. Billings, February 1, 1912, says soldier has serious trouble with his eyes, with increasing impaired vision, and also the diseases pensioned for; that he is unable to do labor. Two intimate neighbors declare soldier is a poor man, with no income but his pension, which is inadequate to support him; that he is wholly unable to perform manual labor and depends upon his pension.

An increase to \$24 is recommended.

H. R. 20077. Lizzie K. Jackson, aged 84 years, is the widow of Jacob J. Jackson, who served as a private in Company H, Eighth Regiment Minnesota Volunteer Infantry, from February 9, 1864, to July 11, 1865 (one year and five months).

Soldier was pensioned under act of June 27, 1890, at \$8. He died June 19, 1894. He and applicant were married October 9, 1856. She is pensioned under act of June 27, 1890, at \$12 a month.

Her address is Washington, D. C.

Dr. J. T. Kelley, February 20, 1912, says unless you shout at applicant she is so deaf she can not otherwise hear; she has stomach attacks, vomiting, and pain, probably due to gallstones.

Pensioner and witnesses say that she owns no real or personal property and has no income or support other than her pension.

A war widow, very old and destitute, an increase to \$20 a month is justified.

H. R. 20082. William R. Green, aged 70 years, served as a private in Company E, Twenty-seventh Regiment Kentucky Infantry, from October 12, 1861, to March 29, 1865 (three years and six months), and is now a pensioner under the act of July 14, 1862, at \$14 per month on account of gunshot wound of head and slight deafness in both ears.

Address, R. F. D. No. 2, Moss, Tenn.

Medical examination May 4, 1910, showed pensioned disabilities rheumatism and heart disease.

Dr. J. H. Miller, February 20, 1912, swears that pensioner is incapacitated for manual labor by reason of age, rheumatism, and total loss of use of right arm.

Other neighbors testify that soldier has no property whatever except one blind horse.

A rating of \$30 may be allowed.

H. R. 20086. Elijah Adams, aged 63 years, served as a private in Company A, Fifty-fourth Regiment Kentucky Volunteer Infantry, from September 19, 1864, to September 1, 1865 (1 year less 18 days), and is now a pensioner under the act of June 27, 1890, at \$12 per month for disease of right testicle, rheumatism, disease of heart, catarrh, and impaired vision.

He was formerly pensioned under the act of July 14, 1862, at \$4 per month by reason of disease of right testicle, result of mumps.

Address, Heights, W. Va.

Board of surgeons June 24, 1908, found pensioned causes.

Medical testimony is that applicant has greatly impaired eyesight, organic heart trouble, lumbago, rheumatism, with crepitation in all large joints, and chronic pharyngitis and atrophy of right testicle; is unable to do manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$24 a month is recommended.

H. R. 20106. John E. Duvall, aged 74 years, served as a first-class fireman on United States ships *North Carolina* and *Roanoke*, United States Navy, from June 9, 1863, to June 8, 1864 (one year less one day), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of rheumatism, disease of heart and eyes, diabetes, and senile debility.

Address, 546 Eighth Street, Brooklyn, N. Y.

Board of surgeons July 18, 1906, found weak heart, rheumatism, diabetes, and senile debility.

Medical testimony is that applicant has vertigo, loss of memory, impaired sight, chronic gastric catarrh, and rheumatism, and is unable to do manual labor.

Other testimony is that applicant has no property. He has a pension of \$15 a month.

An increase to \$30 a month is recommended.

H. R. 20235. Elizabeth Morris, aged 81 years, is the widow of Jerman B. Morris, who served as a captain in Company B, Twenty-first Regiment Kentucky Volunteer Infantry, from September 29, 1861, to October 29, 1862 (one year and one month). Soldier was pensioned under the general law at \$20, for sciatica, rate of his rank; he died January 19, 1896. Widow and soldier were married September 25, 1853. She was pensioned from August 27, 1900, at \$8 under act of June 27, 1890, and now receives \$12 a month.

Address, Hardyville, Ky.

Dr. S. F. Richardson, March 4, 1912, is pensioner's physician, and declares that she needs a constant attendant, that she is a great sufferer from rheumatism, and has complete prolapse of uterus.

The county clerk says she is assessed on 40 acres, \$80, which neighbors say yields her a dower interest of \$75 a year; that the property is worth \$1,000; further she has no other income save her pension.

Applicant is a "war widow," very old and helpless, and an increase to \$20 is justified.

H. R. 20279. Thomas E. Hart, aged 66 years, served as a private in Company C, Fourteenth Regiment New York Volunteer Heavy Artillery, from June 26, 1863, to August 26, 1865 (two years and two months), and is now a pensioner under the act of June 27, 1890, at \$12 per month for disease of heart, enlarged prostate gland, dyspepsia, rheumatism, fistula in ano, and general debility.

He was formerly pensioned under the act of July 14, 1862, at \$6 per month by reason of gunshot wound of left arm.

Address, 18½ Newell Street, Utica, N. Y.

Board of surgeons, January 23, 1907, found disease of heart, enlarged prostate, dyspepsia, rheumatism, gunshot wound, and fistula in ano.

Medical testimony is that applicant has chronic cystitis, rheumatism, and nervousness; is unable to do manual labor.

Other testimony is that applicant has to depend upon his pension of \$12 a month and his brother for a support.

An increase to \$30 a month is recommended.

H. R. 20332. Julius A. Keeler, aged 80 years, served as a wagon-master in Company D, Second Regiment Kansas Infantry, from May 14, 1861, to October 31, 1861 (five and a half months), and is now a pensioner under the act of February 6, 1907, at \$20 per month on account of age.

Was formerly pensioned under the general law at \$12 for injury of right hip.

Address, Garden City, Kans.

Dr. Andrew Sabine says soldier is unable to walk without crutches and is totally incapacitated for manual labor.

Pensioner and two other affiants declare that he has no stocks, bonds, or investments, and the entire value of the whole of his real and personal property will not exceed \$800.

Very old and helpless, an increase to \$24 is proper.

H. R. 20365. Frederick Musbach, aged 85 years, served as a corporal in Company I, Thirty-seventh Regiment Wisconsin Volunteer Infantry, from November 23, 1863, to July 27, 1865 (one year and eight months), and is now a pensioner under the act of February 6, 1907, at \$20 per month on account of age.

He was formerly pensioned under the general law at \$6 for gunshot wound of left leg.

Address, Grafton, Wis.

Medical examination, December 6, 1905, shows gunshot wound, double hernia, rheumatism, and disease of heart.

Dr. W. P. McGovern, March 11, 1912, says pensioner is suffering from hernia, rheumatism, and disease of heart.

Two citizens of his home town testify that soldier has an income of \$115 a year besides his pension and, considering his great age, this amount is insufficient. In addition thereto he owns a small house and lot.

An increase to \$30 is recommended.

H. R. 20392. Elhanan Wright, aged 68 years, served as a private in Company G, Fourteenth Regiment Kentucky Infantry, from November 19, 1861, to January 31, 1865 (three years and two and one-half months), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned at \$10 for injury of left arm, disease of heart, and loss of right eye.

Address, Prestonburg, Ky.

The pensioned disabilities were disclosed by medical examination of August 7, 1901.

Dr. G. T. Frederick and Dr. R. M. Ackers, March 26, 1912, say sight in right eye is gone and the left is very bad. His hearing is bad. Can not get up, when down or sitting, without help. The knee joints are stiff.

The Member introducing the bill has known pensioner all his life, and he says, "I know that he is entirely without income but his pension. He has no property of any kind, and is taken care of by his relatives and neighbors, and is totally unable to earn anything."

An increase to \$30 is recommended.

H. R. 20429. Edmund Ganung, aged 68 years, served as a private in Company A, Sixty-second Regiment New York Volunteer Infantry, from May 15, 1861, to August 30, 1865 (4 years 3 months and 15 days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$8 per month by reason of gunshot wound of right hand, rheumatism, and resulting disease of heart.

Was formerly pensioned under the act of July 14, 1862, at \$6 per month for gunshot wound of right hand.

Address, 524 Fifth Street, Brooklyn, N. Y.

Board of surgeons, May 24, 1904, found gunshot wound of right hand, senile heart, impaired hearing and vision.

Medical testimony is that applicant has chronic endocarditis, with marked edema, chronic interstitial nephritis, chronic cystitis, and rheumatism.

Other testimony is that applicant has no property.

An increase to \$36 a month is recommended.

H. R. 20434. Clarinda Clement, aged 85 years, is the widow of Oliver F. Clement, who served as a wagoner in Company B, Fourth Regiment Vermont Volunteer Infantry, from September 21, 1861, to September 20, 1864 (three years). Soldier was pensioned at \$4 under the general law for varicocele of right side. He died September 24, 1886. He and pensioner were married March 28, 1847. She was pensioned under act of June 27, 1890, at \$8 from July 26, 1890. She now receives \$12 per month.

Address, West Canaan, N. H.

Pensioner and two neighbors say she is confined to her bed all the time. All she has is her pension of \$12 a month and \$6 a month from the county of Grafton, N. H.

Her great age, helplessness, and destitution warrant an increase to \$20 a month.

H. R. 20517. Seymour H. Marshall, aged 65 years, served as a private in Company B, Second Regiment New York Volunteer Heavy Artillery, from January 9, 1864, to July 13, 1865 (one year and six months), and is now pensioned under the act of June 27, 1890, at \$12 per month on account of rheumatism and resulting disease of heart, disease of right testicle, and wound of right foot.

Address, Buffalo, N. Y.

Dr. Charles E. Abbott, December 20, 1911, has treated pensioner for acute articular rheumatism and acute bronchitis.

Dr. J. G. Rung and John Schaefer testify that soldier has no real or personal property and no means of support.

No medical examination since April 6, 1892, when the pensioned disabilities and impaired vision were described.

An increase to \$30 is recommended.

H. R. 20600. Augusta Dempsey, aged 44 years, is the widow of Michael Dempsey, who served as a corporal in Company B, Sixty-ninth Regiment Ohio Volunteer Infantry, from June 26, 1863, to July 17, 1865 (1 year and 22 days). Soldier was pensioned under act of June 27, 1890, at \$8, and he died September 1, 1911; the accrued pension was paid to this widow. She and soldier were married July 16, 1891, which date barred her, under the act of June 27, 1890, and of April 19, 1908. Her son, by the soldier, born December 3, 1895, was pensioned until December 2, 1911, when he became 16. This widow was his guardian.

Applicant states she owns no property of any kind, but earns a dollar a day by scrubbing and washing, and is trying to earn money to keep her son in school, and that she can work but two or three days in the week.

Dr. Frank Scherer has been applicant's physician for the last four years. He testifies that she is a constant sufferer from stomach disorders, nervous debility, and epilepsy; further, that she is very poor and earns her living by scrubbing and washing, which she is unable to do by reason of said disabilities. Other witnesses corroborate this statement.

Following precedents, an allowance of \$12 a month is proper.

H. R. 20663. John H. Stratton, aged 68 years, served as a private in Company I, Sixth Regiment Connecticut Volunteer Infantry, from September 5, 1861, to September 4, 1864 (three years less one

day), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$8 per month by reason of rheumatism, impaired vision, and senile debility.

Address, 172 Pleasant Street, Holyoke, Mass.

Board of surgeons, October 17, 1906, found pensioned causes.

Medical testimony is that applicant has suffered from rheumatism for over 25 years; at present he can walk a little, but has to have some one to dress and undress him.

Lay testimony shows that pensioner has no real estate and no personal property except household goods; his total income is \$12 a month from the United States and \$4 from the State relief fund of Massachusetts.

An increase to \$30 is recommended.

H. R. 20723. Andrew P. Lankvest, aged 86 years, served as a private in Company F, Fourth Regiment Minnesota Volunteer Infantry, and in Company K, Eighth Regiment Veteran Reserve Corps, from December 24, 1861, to July 24, 1865 (three years and seven months), and is now a pensioner under the act of February 6, 1907, at \$20 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of rheumatism, disease of heart, and slight deafness of both ears.

Address, Walnut Grove, Minn.

Board of surgeons, August 7, 1901, found deafness.

There is no medical testimony, but the applicant is 86 years of age, and it needs no medical testimony to show that he is unable to work.

Other testimony is that applicant is in destitute circumstances, with no income but his pension.

An increase to \$30 a month is recommended.

H. R. 20791. Moses P. Jewett, aged 66 years, served as a private in Company F, Twenty-first Regiment Maine Volunteer Infantry, from September 10, 1862, to August 25, 1863 (11 months and 15 days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$8 per month by reason of disease of rectum and rheumatism.

Address, R. D. 5, Traverse City, Mich.

Board of surgeons, October 6, 1897, found disease of rectum, rheumatism, disease of heart, disease of liver, catarrh, chronic diarrhea, and curvature of spine.

Medical testimony is that applicant has posterior sclerosis of the spinal cord, locomotor ataxia, and is totally disabled.

Other testimony is that applicant has 32½ acres of land; it further appears that upon this land there is a mortgage of \$1,000 and that the applicant owes other debts amounting to several hundred dollars.

An increase to \$24 a month is recommended.

H. R. 20809. Lizzie Brooks, aged 66 years, is the widow of William Brooks who served as a private in Company H, Forty-seventh Regiment United States Colored Infantry, from May 1, 1863, to January 15, 1866 (two years and eight months).

Soldier never applied for pension; he died December 5, 1880; he and applicant were married in 1864 by chaplain of the soldier's regiment.

Applicant is pensioned under act of June 27, 1890, from August 29, 1890, at \$8; she now receives \$12. She is asking additional pension on account of her child, Thomas Brooks, who is completely blind and has been ever since he was 10 years old. He was born February 8, 1867, and lost his sight as the result of an accident, being shot by another colored boy who was handling a gun charged with bird shot. This occurred three years before the death of the soldier.

This widow applied under the general law for herself and child but her claim was rejected on the ground that there was no record of any disease and claimant's inability to connect his death with his military service.

Dr. B. C. Abernathy testifies that he has attended Lizzie Brooks, who suffered from cerebral hemorrhage resulting in hemiplegia, and she will never again have use of left side of her body. She is unable to work and has no means of support but her pension, upon which she and the blind child, now 45 years old, must rely for food, clothing, and medical attention.

To aid in their support an increase to \$24 is recommended.

H. R. 20851. Ann E. Shetzline, aged 70 years, is the widow of George L. Shetzline, who served as a private in Company C, Fifty-fifth Regiment Pennsylvania Infantry, from July 26, 1863, to July 29, 1864 (one year). Soldier was pensioned under the act of June 27, 1890, at \$12; he died January 14, 1903. He and applicant were married December 30, 1857. She was pensioned under act of June 27, 1890, at \$8, and \$2 each for two children from January 18, 1893, until the children became 16. She now receives \$12 a month since April 19, 1908.

Dr. J. H. Lock testifies that she suffers greatly from rheumatism and general debility, due to her age, and is unable to do housework.

Two neighbors say, as does the physician, that her only income is her pension of \$12 a month; that she suffers from rheumatism and can do no housework.

Address, Philadelphia, Pa.

Having married the soldier long before the war and lived with him as his wife for 46 years, is now quite old and feeble, an increase of pension to \$20 is proper.

H. R. 20859. Wade H. Pyle, aged 78 years, served as a private in Company D, Eighth Regiment Illinois Infantry, from October 4, 1864, to October 3, 1865 (one year), and is now a pensioner under the act of February 6, 1907, at \$20 per month on account of age. Was formerly pensioned under the general law at \$8 for piles.

Address, Troy, Tenn.

Medical examination, November 14, 1905, revealed piles, left inguinal hernia, and rheumatism.

Dr. W. F. Roberts, family physician, March 21, 1912, testifies that soldier has left inguinal hernia and hemorrhoids; that with these disabilities and advancing age he is not able to do manual labor.

Pensioner states he owns two houses and lots, one valued at \$500, the other at \$200, and has \$185 personal property.

Two neighbors testify that soldier is a poor man, owns a house and lot worth \$500, and that is all he owns.

An increase to \$30 is according to the practice.

H. R. 20898. William H. H. Hurry served as a second lieutenant in Companies E and F, Fifty-seventh Regiment Pennsylvania Volunteer Infantry, from September 23, 1861, to June 29, 1865 (2 years and 9 months), and is now a pensioner under special act of May 25, 1908, at \$30.

He was formerly pensioned at \$12 under the act of June 27, 1890, for rheumatism, injury of right hand and left knee, loss of sight of right eye, and obesity and senile debility.

Address, Kansas City, Kans.

Dr. Thomas Richmond, February 23, 1912, testifies that he is totally blind, suffering with glaucoma, and is wholly dependent on his pension.

Two other affiants and pensioner say he is entirely without resources except his pension, owns no real estate, and has \$200 worth of household effects.

The Member introducing this bill says he has personal knowledge of pensioner; that he is entirely blind and without income except his pension; and strongly recommends an increase to \$50 a month, which recommendation is concurred in.

H. R. 20934. Lauerdale L. Taber, aged 86 years, served as a deputy provost marshal in ninth Kentucky district, from November 13, 1863, to June 1, 1864, and from June 6, 1864, to April 30, 1865 (1 year 5 months and 17 days), and is now a pensioner under the act of July 14, 1862, at \$9 per month on account of pistol-shot wound of left hip.

Address, Olive Hill, Ky.

Board of surgeons, March 4, 1910, found pensioned cause and results.

Medical testimony is that applicant, by reason of his physical condition, is unable to do manual labor.

Lay testimony is to the point that his only support is his pension of \$9 a month. The little real estate he owns is too poor to farm and consists of a small sassafras ridge, and, further, he requires the continuous attention of another person to look after him.

An increase to \$30 is recommended.

H. R. 20956. Edmond Bonneau, aged 65 years, served as a private in Company H, Fifteenth Regiment New York Volunteer Cavalry, from December 22, 1863, to June 25, 1865 (1 year and 6 months), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

Was formerly pensioned under act of June 27, 1890, at \$8 for rheumatism and disease of heart, shown by medical examination of August 2, 1899.

Dr. W. B. Hamilton, March 8, 1912, has been pensioner's physician and surgeon since 1905; that on June 19, 1909, he amputated pensioner's left leg below the knee, blood poisoning having set in, due to an injury; that on October 3, 1910, soldier fell on the stump of the leg, fracturing the bone above the knee; that he is unable to do any kind of work.

Friends testify that soldier and his wife live with their children, who help to support them; that pensioner owns no real estate or personal property, and is wholly dependent on his pension and the assistance of the children.

Address, 869 Garfield Avenue, Portland, Oreg.

An increase to \$30 is recommended.

H. R. 20966. Carrie Keefer, aged 71 years, is the widow of Benjamin F. Keefer, who served as a captain in Company H, One hundred and thirty-first Regiment Pennsylvania Infantry, from April 22, 1861, to July 31, 1861, and from August 8, 1862, to May 23, 1863 (one year). Soldier was pensioned under act of June 27, 1890, at \$10. He died November 19, 1902. He and this widow were married November 10, 1863.

Applicant was pensioned as his widow from November 26, 1902, at \$8, which was increased by special act to \$12, from April 6, 1904.

Her address, Sunbury, Pa.

Dr. Fred Rice, March 6, 1912, declares applicant is totally incapacitated for manual labor by reason of a general breaking up of her entire system, due to old age; that she needs the daily attention of her physician, because of a general refusal of the organs to perform their functions.

Two neighbors say that she owns no real or personal property other than household goods.

Waiving Rule II, an increase to \$25 may be allowed.

H. R. 21204. David Cates, aged 71 years, served as a private in Companies I and C, Ninth Regiment Tennessee Volunteer Cavalry, from July 19, 1863, to September 11, 1865 (2 years 1 month and 22 days), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$10 per month by reason of general debility, disease of heart, and rheumatism.

Address, Winchester, Tenn.

Board of surgeons, February 17, 1904, found general debility and rheumatism.

Medical testimony is that applicant is unable to do manual labor by reason of injury to ribs and rheumatism; he likewise is ruptured and is almost totally deaf.

Other testimony shows that the applicant is in needy circumstances.

An increase to \$30 per month is recommended.

H. R. 21209. J. Howard Livingston, aged 81 years, served as a captain in Company B, Seventh Regiment New Jersey Volunteer Infantry, from March 13, 1862, to November 17, 1864, (2 years 8 months and 4 days), and is now a pensioner under the act of July 14, 1862, at \$20 per month on account of gunshot wound of left thigh.

Address, 148 West Ninety-first Street, New York, N. Y.

Board of surgeons, November 22, 1911, found pensioned cause and senility, and rated at \$24 per month.

Medical testimony is that applicant, by reason of the general infirmities of age, is unable to do manual labor.

Other testimony is that applicant depends upon his family and children for support.

An increase to \$36 a month is recommended.

H. R. 21250. Louisa J. Lohr, aged 63 years, is the widow of George Lohr, who served as a private in Battery D, Second Regiment Illinois Light Artillery, from August 7, 1861, to September 24, 1864 (three years and one month).

Soldier was pensioned under the act of June 27, 1890, at \$12, and he died May 31, 1911. This widow was paid the accrued pension.

Soldier and applicant were married October 5, 1892; hence she has no title under existing law.

Address, Temple, Tex.

Leading citizens testify that applicant is an old lady, 65 or 70 years old, and is a helpless invalid; that she is almost blind and in a general decrepit condition; that she has no means of support, being dependent on the help of her friends for the necessities of life.

Old, decrepit, destitute, and, following numerous precedents, a pension of \$12 a month is recommended.

H. R. 21277. Henrietta Darow, aged 69 years, is the widow of Henry Darow, who served as a corporal in Company K, Eleventh Regiment Wisconsin Infantry, from September 14, 1861, to September 4, 1865 (3 years and 11 months).

Soldier was last pensioned under the act of February 6, 1907, at \$12; formerly pensioned under the general law for chronic diarrhea and resulting disease of rectum. This applicant is pensioned under the general law at \$12.

Her address is Springfield, Minn.

Soldier died October 1, 1907; he and pensioner were married March 21, 1868.

Pensioner and two other affiants declare that by reason of her age and ill health she is unable to render services by which she may receive an income, has no income but her pension of \$12 a month, and that she is dependent upon friends and relatives for assistance and maintenance.

An increase to \$20 is recommended.

H. R. 21321. Joseph Fields, aged 71 years, served as a private in Company D, Twenty-second Regiment Kentucky Infantry, from October 21, 1861, to March 4, 1862 (four and one-half months), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

Was formerly pensioned under act of June 27, 1890, at \$12 for rheumatism, disease of heart, and senile debility, as shown by medical examination of February 20, 1907.

Address, McGlone, Ky.

Dr. C. E. Hudgins, April 8, 1912, testifies that soldier is suffering from chronic rheumatism which affects the big joints so that he is scarcely able to walk around; also has heart disease. He is unable to perform manual labor. Two neighbors testify that soldier possesses 30 acres of land, worth about \$120, and personal property—cows, hogs, etc.—of the value of \$225. He owes \$100 on this property. That, including his pension, he has not sufficient income to support himself and helpless children.

An increase to \$20 is recommended.

H. R. 21327. Matilda Vreeland, aged 70 years, is the widow of Garrit Vreeland, who served as a private in Company K, Twenty-fifth Regiment New Jersey Volunteer Infantry, from September 1, 1862, to June 20, 1863 (9 months and 19 days).

Soldier was pensioned under the act of June 27, 1890, at \$8 per month.

Applicant is pensioned at \$12 per month under the act of June 27, 1890.

Address, 778 Madison Avenue, Paterson, N. J.

Applicant and soldier were married June 26, 1864.

Soldier died December 11, 1905.

Medical testimony is that applicant, by reason of infirmities, is unable to work.

Other testimony is that applicant is absolutely destitute, so much so that since she has become unable to work she has had to let her crippled and dependent son be taken to the poorhouse.

An increase to \$20 a month is recommended

H. R. 21334. Benjamin Fowler, aged 77 years, served as a private, unassigned, Twenty-second Regiment Indiana Volunteer Infantry, from October 4, 1864, to May 8, 1865 (seven months and four days), and is now a pensioner under the act of February 6, 1907, at \$20 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of total inability to earn a support by manual labor.

Address, Hot Springs, S. Dak.

Board of surgeons, May 20, 1903, found piles, rheumatism, lumbago, senility, disease of heart, and enlarged prostate.

Medical testimony is that applicant has the following disabilities: Old fracture of the ribs of the right breast, chronic muscular rheumatism, chronic constipation, chronic cystitis, and weak heart; is unable to do manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$24 a month is recommended.

H. R. 21335. Eli Hovis, aged 87 years, served as a sergeant and private in Company K, Fourth Regiment Pennsylvania Volunteer Cavalry, from September 26, 1861, to July 16, 1862 (9 months and 20 days)—discharged for disability—and is now a pensioner under the act of February 6, 1907, at \$20 per month on account of age.

He was formerly pensioned under the act of July 14, 1862, at \$14 per month by reason of lumbago and disease of kidneys, result of injury of back.

Was formerly pensioned under the act of June 27, 1890, at \$12 per month for senile debility, lumbago, and disease of kidneys.

Address, 120 Chestnut Street, New Carlisle, Pa.

Board of surgeons, June 27, 1906, found injury to back and results, disease of kidneys, and general and senile debility.

Medical testimony is that applicant has had three paralytic strokes, and is unable to do manual labor.

Other testimony is that applicant has a house and lot worth \$1,350, on which there is a mortgage of \$440, and has no income but his pension.

An increase to \$30 a month is recommended.

H. R. 21341. Jerome French, aged 66 years, served as a private in Battery K, Third Regiment New York Volunteer Light Artillery, from August 20, 1863, to June 30, 1865 (1 year 10 months and 10 days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$10 per month by reason of injury to right leg and ankle and pharyngeal catarrh and rheumatism.

Address, Fleming, N. Y.

Board of surgeons August 2, 1905, found pensioned causes.

Medical testimony is that applicant has paralysis of the right hand and arm and is totally disabled from working or waiting upon himself.

Other testimony is that applicant has property of the value of \$100 and no income but his pension.

An increase to \$30 a month is recommended.

H. R. 21342. Sylvester B. Van Duser, aged 65 years, served as a bugler in Company F, Second Regiment New York Volunteer Mounted Rifles, from December 19, 1863, to August 10, 1865 (2 years 7 months and 21 days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$6 per month by reason of rheumatism and resulting disease of heart and dyspepsia.

Address, South Myrtle Avenue, Newark, N. Y.

Board of surgeons, December 4, 1901, found rheumatism, disease of heart, liver, and stomach.

Medical testimony is that applicant has chronic rheumatism, disease of heart and liver, chronic nervous dyspepsia, constipation, atheroma, and nervous debility, and is unable to do manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$30 a month is recommended.

H. R. 21343. Farington Ferguson, aged 71 years, served as a private in Company F, Ninety-eighth Regiment New York Volunteer Infantry, from October 18, 1861, to December 18, 1862, and in Company M, First Regiment United States Cavalry, from December 19, 1862, to April 20, 1864, (total service, two years six months and one day); discharged on surgeon's certificate of disability; and is now a pensioner under the act of July 14, 1862, at \$17 per month for disease of lungs.

Address, Port Gibson, N. Y.

Board of surgeons, August 1, 1906, found disease of lungs and heart, and rated at \$30 a month.

Medical testimony is that applicant has disease of lungs, eyes, stomach, and heart, rheumatism, and constipation; is nearly totally blind in both eyes. He is unable to do manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$36 a month is recommended.

H. R. 21397. Joseph H. Vaill, aged 74 years, served as a private and quartermaster sergeant in Company E, Eighth Regiment Con-

necticut Volunteer Infantry, and in the One hundred and fifty-ninth Company, Second Battalion, Veteran Reserve Corps, from September 21, 1861, to September 20, 1864 (three years less one day), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of July 14, 1862, at \$10 per month by reason of disease of right eye.

Address, 320 South Fourth Street, Philadelphia, Pa.

Board of surgeons, November 23, 1903, found loss of sight of right eye.

Medical testimony is that applicant has suffered from cerebral hemorrhage, causing paralysis. It appears that applicant is unable to do manual labor.

The Member introducing the bill states that the applicant has suffered a second stroke of paralysis.

Pensioner and two witnesses swear that he owns 10 acres of unimproved farm land valued at \$25 an acre, which produces no income; also \$1,500 personal property, which yields an annual income of \$70, to which should be added his pension.

An increase to \$30 is recommended.

H. R. 21439. Marcus E. Nesmith, aged 68 years, served as a sergeant in Company G, One hundred and fifty-sixth Regiment Illinois Infantry, from September 7, 1861, to February 17, 1863, and from February 23, 1865, to September 20, 1865 (one year and eight months), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of July 14, 1862, at \$6 per month by reason of bronchitis.

Address, Capron, Ill.

The last medical examination, November 16, 1908, shows disease of heart.

Dr. W. R. Merritt, March 9, 1912, says that on April 5, 1911, pensioner was stricken with paralysis and is completely helpless; is unable to dress or feed himself.

Fellow townsmen say he owns a dwelling and store building, which latter rents for \$15 a month; that his property is free from incumbrances and his total income from all sources is \$300 a year, in addition to his pension.

An increase to \$30 is allowed.

H. R. 21516. George W. Thomas, aged 69 years, served as a private in Company F, Tenth Regiment Indiana Volunteer Infantry, from September 18, 1861, to March 30, 1863 (1 year 6 months and 12 days)—discharged for disability—and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$10 per month by reason of spinal irritation and right inguinal hernia, rheumatism, disease of the heart.

Was formerly pensioned at \$6 per month under the act of July 14, 1862, for spinal irritation.

Address, Earleyville, Tenn.

Board of surgeons, April 6, 1910, found disease of heart and rated at 12/18, arthritic deformity and stiffness and rated at 17/18, and senile and general debility and rated at 12/18.

Medical testimony is that applicant is disabled from rheumatism. It appears that he is unable to do manual labor.

The Member introducing the bill states that he personally knows the applicant is without means, has no income, and is in a dependent condition.

An increase to \$36 a month is recommended.

H. R. 21567. William J. D. Pope, aged 64 years, served as a private in Company H, Thirty-ninth Regiment Wisconsin Volunteer Infantry, from May 23 to September 22, 1864 (3 months and 29 days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$8 per month by reason of disease of heart and rectum.

Address, 1403 Parnell Street, Marinette, Wis.

Board of surgeons, February 7, 1906, found disease of heart, rectum, headache, disease of eyes, indigestion, and loss of little finger.

Medical testimony is that applicant has disease of stomach, eczema of right leg, and general disability and fatty heart; is unable to do manual labor.

Other testimony is that applicant has a house and lot valued at \$700, mortgaged for \$150, and has no other property and no income but his pension.

An increase to \$20 a month is recommended.

H. R. 21690. Ann Fagan, aged 78 years, is the widow of Terrence Fagan, who served as a private in Company E, Thirty-fifth Regiment Iowa Volunteer Infantry, and in Company G, Fifth Regiment Veteran Reserve Corps, from August 22, 1862, to July 5, 1865 (2 years 10 months and 13 days).

Soldier was pensioned under the act of February 6, 1907, at \$20 per month for age; was formerly pensioned under the act of June 27, 1890, at \$12 per month.

Applicant is pensioned under the act of April 19, 1908, at \$12 per month.

Address, 84 Carmel Street, New Haven, Conn.

Applicant was married to soldier July 17, 1854; is a "war widow."

Soldier died July 24, 1910.

Medical testimony is that applicant has arteriosclerosis, senile arthritis of both knees; is dependent upon the care of others.

Other testimony is that applicant has no property and no income but her pension.

An increase to \$20 a month is recommended.

H. R. 21739. Samuel W. McElderry, aged 72 years, served as a private (musician) in Company I, Forty-fifth Regiment Iowa Volunteer Infantry, from May 5, 1864, to September 16, 1864 (4 months and 11 days), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of injury to right hand and arm and loss of left thumb.

Address, 154 Twelfth Street SE., Washington, D. C.

Board of surgeons, May 13, 1891, found pensioned causes and indigestion.

Medical testimony is that applicant has paralysis of right side; has cerebral softening of a progressive nature; is unable to do manual labor; needs the care and assistance of an attendant; is unable to work.

Other testimony is that applicant has a small house, but it is covered by a mortgage. His income is his pension.

Very short service. An increase to \$20 a month is recommended.

H. R. 21797. Emanuel C. Coleman, aged 71 years, served as a private in Company A, Eighty-seventh Regiment Pennsylvania Volunteer Infantry, from April 25, 1861, to July 31, 1861, and from September 9, 1861, to June 9, 1865 (four years and one month), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

Was formerly pensioned under act of July 14, 1862, at \$8 for double varicocele and neuralgia left side of head.

Address, York, Pa.

Medical examination, August 2, 1905, shows double varicocele, rheumatism, heart trouble, impaired vision, hemorrhoids, and chronic eczema.

Dr. G. W. Brouse, March 7, 1912, says soldier suffers from shortness of breath, due to weak heart; prolapsus of rectum, piles, cystitis, attacks of renal colic, enlarged prostate, muscular rheumatism, and is unable to do manual labor. This is corroborated by Dr. Louis Jardy.

Pensioner and his witnesses testify that he has no real estate or personal property except a few household goods, and no income but his pension.

A very long service, old age, and destitution warrant an increase to \$30.

H. R. 21876. David R. Hunter, aged 68 years, served as a corporal in Company D, Twenty-third Regiment Ohio Volunteer Infantry, from December 15, 1863, to July 26, 1865 (1 year 7 months and 11 days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$6 per month by reason of epilepsy and disease of stomach.

Address, Loveland, Colo.

Board of surgeons, December 29, 1897, found pensioned causes.

Medical testimony is that applicant has epilepsy and is unable to do manual labor.

Other testimony is that applicant has a home assessed at \$930, and no other property and no income but his pension.

An increase to \$30 a month is recommended.

H. R. 21917. Joseph V. Wilkinson, aged 66 years, served as a private in Company K, One hundred and ninety-seventh Regiment Pennsylvania Volunteer Infantry, from July 11, 1864, to November 11, 1864, and in Company G, Two hundred and thirteenth Regiment Pennsylvania Volunteer Infantry, from February 13, 1865, to November 18, 1865 (total service, one year one month and five days),

and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of July 14, 1862, at \$6 per month by reason of disease of eyes.

Address, 737 Spring Mill Avenue, Conshohocken, Pa.

Board of surgeons, October 19, 1887, found pensioned cause.

Medical testimony is that applicant, by reason of rheumatism and a semiparalytic condition in limbs, is unable to do manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$30 a month is recommended.

H. R. 21933. Sarah J. Davis, aged 60 years, is the widow of Alonzo Davis, who served as a private in Company K, Eighteenth Regiment Kentucky Volunteer Infantry, from October 8, 1861, to July 18, 1865 (three years and nine months). Soldier was pensioned under act of June 27, 1890, at \$12. He died April 16, 1909. He and applicant were married June 11, 1891. She was paid the pension accrued at date of soldier's death, but her claim under the general law was rejected on the ground that soldier's fatal disease of rectum and kidneys was not shown to have any connection with his Army service.

Owing to the date of her marriage she has no title under the act of February 6, 1907.

Dr. J. M. Wells, April 9, 1912, says that applicant is unable to perform any manual labor; weighs 86 pounds; gait slow and tottering; anemic and pale.

Friends testify that she has no property or income whatever and is totally dependent on her friends for maintenance.

Address, Vanceburg, Ky.

Following numerous precedents, an allowance of \$12 a month may be granted.

H. R. 21989. George A. Howell, aged 82 years, served as a private in Company B, Tenth Regiment New York Volunteer Heavy Artillery, from September 20, 1864, to June 23, 1865 (nine months and three days), and is now a pensioner under the act of February 6, 1907, at \$20 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of disease of lungs and eyes and slight deafness of both ears.

Address, Hot Springs, S. Dak.

Board of surgeons, January 13, 1892, found heart trouble, lung trouble, deafness, and general debility.

Medical testimony is that applicant, by reason of paralysis, deafness, impaired vision, valvular heart disease, chronic constipation, cystitis, indigestion, loss of all teeth, and age, is unable to do manual labor.

He is now an inmate of the State Soldiers' Home, S. Dak. It appears that his income is his pension.

An increase to \$24 a month is recommended.

H. R. 22029. Joshua Suiter, aged 66 years, served as a private in Company A, One hundred and eighty-eighth Regiment Ohio Volunteer Infantry, from February 16, 1865, to September 21, 1865.

(seven months and five days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$10 per month by reason of rheumatism, disease of heart and rectum, and general debility.

Address, Huntington, W. Va.

Board of surgeons, January 16, 1907, found pensioned causes.

Medical testimony is that applicant is totally disabled and unable to perform manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$24 a month is recommended.

H. R. 22106. George W. Oldham, aged 66 years, served as a private in Company D, Tenth Regiment Kentucky Volunteer Cavalry, from August 18, 1862, to September 17, 1863, and in Company G, One hundred and thirty-eighth Regiment Ohio Volunteer Infantry, from May 2, 1864, to September 1, 1864, and in Company G, Fifth Regiment Ohio Volunteer Cavalry, from February 16, 1865, to October 30, 1865 (total service, 2 years 4 months and 12 days) and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of rheumatism and resulting disease of heart, and disease of rectum.

Address, Maysville, Ky.

Board of surgeons, February 11, 1892, found rheumatism and disease of rectum.

Medical testimony is that applicant has general debility, which unfits him for manual labor.

C. L. Wood and J. L. Whitaker, April 15, 1912, testify that pensioner is a very poor man; that he and his wife live in two rented rooms; that he does not own a cent's worth of real estate, neither stocks, bonds, nor securities, and has no income but his pension.

An increase to \$30, is recommended.

H. R. 22107. William Kautz, aged 65 years, served as a private in Company C, Second Regiment Ohio Volunteer Heavy Artillery, from August 18, 1863, to August 23, 1865 (two years and five days), and is now a pensioner under the act of June 27, 1890, at \$12 per month for rheumatism, disease of heart and rectum, and nasopharyngeal catarrh.

He was formerly pensioned under the act of July 14, 1862, at \$6 per month by reason of nasopharyngeal catarrh.

Address, Augusta, Ky.

Board of surgeons, May 17, 1905, found rheumatism, disease of heart, rectum, nose, and throat, with slight deafness and disease of eyes, with general debility.

Medical testimony is that applicant, by reason of chronic rheumatism and rheumatic arthritis, is a helpless and confirmed cripple; he is totally unable to do work of any kind.

Other testimony shows the applicant to be in destitute circumstances, with no source of support but his pension of \$12 a month.

An increase to \$30 a month is recommended.

H. R. 22232. Alexander Chisholm, aged 79 years, served as a private in Company C, First Regiment New York Volunteer Light Ar-

tillery, from October 24, 1861, to April 3, 1863 (one year five months and nine days), and is now a pensioner under the act of February 6, 1907, at \$20 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of wound of head and left side, rheumatism, disease of heart, and senility.

Address, Emporia, Kans.

Board of surgeons, July 18, 1900, found rheumatism and obstruction in nose.

Medical testimony is that applicant has chronic rheumatism, bladder trouble, enlarged prostate, and stomach trouble; is 79 years old; is unable to do labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$30 a month is recommended.

H. R. 22233. Jacob Howard, aged 78 years, served as a private in Companies H and C, Fourteenth Regiment Kentucky Volunteer Infantry, from February 25, 1863, to September 15, 1865 (2 years 6 months and 20 days), and is now a pensioner under the act of February 6, 1907, at \$20 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of total inability to earn a support by manual labor.

Was formerly pensioned under the act of July 14, 1862, at \$10 per month for piles.

Address, Cottonwood Falls, Kans.

Board of surgeons, December 1, 1897, found piles and disease of rectum, and double inguinal hernia.

Medical testimony is that applicant is insane; a guardian has been appointed.

Applicant has, for property, \$250 in the bank; he has a pension of \$20 per month.

An increase to \$36 a month is recommended.

H. R. 22379. Albert White, aged 86 years, served as a private in Company F, First Regiment Kansas Volunteer Infantry, and in Company C, Second Regiment Kansas Volunteer Infantry, from May 14, 1861, to October 31, 1861 (5 months and 17 days), and is now a pensioner under the act of February 6, 1907, at \$20 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of general debility, senility, and rheumatism.

Address, 825 Brooklyn Street, St. Louis, Mo.

Board of surgeons, March 31, 1899, found general debility and rheumatism.

Medical testimony is that applicant has enlarged prostate, arteriosclerosis, and senility; is unable to do manual labor.

Other testimony is that applicant has no property except clothing and some household goods. He has a pension of \$20 a month; his wife sells papers on the street.

An increase to \$24 a month is recommended.

H. R. 22392. William E. Howlett, aged 68 years, served as a private in Company F, One hundred and sixth Regiment Pennsylvania Vol-

unteer Infantry, and Company C, Eighteenth Regiment Veteran Reserve Corps, from August 14, 1861, to August 15, 1864 (three years and one day), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of July 14, 1862, at \$6 per month by reason of gunshot wound of right leg.

Address, Genoa, Ill.

Board of surgeons, March 21, 1906, found gunshot wound of right leg and chronic diarrhea.

Medical testimony is that applicant has had his prostate gland removed, but now has contraction of the urethra and chronic cystitis. Is unable to do manual labor.

Other testimony is that applicant practically has no property. It appears that his income is his pension.

An increase to \$30 a month is recommended.

H. R. 22412. Robert W. Clark, aged 74 years, served as a first sergeant in Company M, First Regiment New Hampshire Volunteer Cavalry, from December 14, 1861, to July 15, 1865 (three years seven months and one day), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of disease of heart and senile debility.

Address, Hudson, Wis.

Board of surgeons, February 21, 1906, found fracture of right leg, dyspepsia, disease of heart and liver, and general debility from senility.

Medical testimony is that applicant suffers from results of fracture of right leg; has arteriosclerosis; his condition is such that he is confined to his bed or chair; is wholly unable to do manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$30 a month is recommended.

H. R. 22425. David Cheney, aged 69 years, served as a private in Company G, First Regiment New York Volunteer Light Artillery, from August 7, 1861, to June 19, 1865 (3 years 10 months and 12 days), and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of right inguinal hernia, rheumatism, and disease of heart.

Address, Decatur, Mich.

Board of surgeons, July 8, 1891, found pensioned causes.

Medical testimony is that applicant has hernia on each side, rheumatism, disease of heart, and inflammation of the kidneys. It appears that he is unable to do manual labor.

Other testimony is that applicant has a small, swampy farm, worth about \$300, and no other property, and no income but his pension.

An increase to \$30 a month is recommended.

H. R. 22465. Daniel C. Joslyn, aged 89 years, served as a first lieutenant in Company A, Fifteenth Regiment Illinois Infantry, from March 24, 1861, to October —, 1861, when he resigned, and is now a pensioner under the special act at \$24 per month.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of rheumatism and senility.

Dr. H. A. Stroup, March 6, 1912, deposes that he is wholly and utterly incapable of performing manual labor, and is so enfeebled by age and infirmities as to be unfit to care for himself, being afflicted with rheumatism, eczema, blindness, and disease of heart. He is without property, income, or means of support other than his pension.

Other testimony shows that he must be waited upon, have his meals carried to his rooms, and has no property of any kind.

His extreme age, utter helplessness, and destitution appeal strongly to the sympathy of all, and an increase to \$50 a month is recommended.

H. R. 22514. James Carrigan, aged 67 years, served as a private in Company F, One hundred and sixteenth Regiment Indiana Infantry, from June 26, 1863, to February 29, 1864 (seven months), and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of loss of left leg, which was shown by medical examination February 18, 1891, as also was loss of thumb and index finger of left hand and loss of sight in right eye.

Address, 534 Roseview Avenue, Kansas City, Kans.

Dr. E. Smith, March 21, 1912, finds only the same disabilities shown on medical examination of February 18, 1891.

Dr. F. Campbell finds the same, likewise a sore on stump of leg, which occasions much trouble by ulcerating and bleeding.

Pensioner and witnesses depose and say that he has no real estate, about \$100 in personal property, and a pension of \$144 a year.

An increase to \$24 is recommended.

H. R. 22566. Patrick H. Cronin, aged 85 years, served as a private in Company D, Ninth Regiment Connecticut Volunteer Infantry, from October 30, 1861, to October 3, 1864 (3 years less 27 days), and is now a pensioner under the act of February 6, 1907, at \$20 per month on account of age.

He was formerly pensioned under the act of July 14, 1862, at \$12 per month by reason of varicose veins of both legs.

Address, 141 California Street, West Haven, Conn.

Board of surgeons, February 15, 1888, found gunshot wound of right leg and varicose veins of both legs.

Medical testimony is that applicant, by reason of age and weakness and cardiac trouble, is unable to do manual labor.

Other testimony is that applicant has no property and no income aside from his pension.

An increase to \$36 a month is recommended.

H. R. 22599. Edward S. Bragg, aged 85 years, served as a brigadier general, United States Volunteers, from July 16, 1861, to October 2, 1865 (four years and two months); and is now a pensioner under special act at \$50 per month from July 31, 1906, and was never otherwise pensioned.

Address, Fond du Lac, Wis.

Dr. P. J. Calvy (March 21, 1912) testifies that he has been Gen. Bragg's physician since February, 1910; that he is nearly blind from double cataract, unable to read or guide himself around the room; that he is very feeble, has a greatly enlarged prostate, and chronic cystitis, and must use a catheter twice a day; he should have a constant attendant.

Two fellow townsmen testify that the home in which soldier lives is assessed at \$5,025, and belongs to his wife, and that he owns no real estate or other property, and has no income or support other than his pension of \$50 a month.

In view of pensioner's long and distinguished service, his great age and helplessness, an increase to \$100 is justified.

H. R. 22628. John S. Humphreys, aged 72 years, served as a sergeant in Company G, Thirteenth Regiment Tennessee Cavalry, from September 24, 1863, to September 5, 1865 (1 year and 11½ months), and is now a pensioner under the act of July 14, 1862, at \$30 per month on account of rheumatism and resulting disease of heart, as the result of medical examination March 28, 1900.

Address, Johnson City, Tenn.

Dr. J. H. Preas (January 18, 1912) testifies that soldier must be up 15 times a night to pass his urine; that he can not feed, dress, or undress himself; he is wholly unable to do manual labor.

Three witnesses testify that he has no property whatever, is living in rented property, has no means of support but his pension, and is almost helpless.

An increase to \$40 is recommended.

H. R. 22672. Margaret Maynard, aged 90 years, is the dependent mother of Frank A. Maynard, who served as a private in Company M, Third Regiment Michigan Volunteer Cavalry, from September 13, 1861, to August 8, 1862 (11 months). Soldier was pensioned at \$15 under act of February 6, 1907. He was born February 26, 1840.

In his family data circular, September 25, 1907, he states that he is a widower; has three children, all married; that his mother is Margaret A. Maynard, and adds that she is to be his sole beneficiary.

The applicant avers that soldier supported her for 50 years. There are other affiants who depose that applicant is the mother of the soldier; that she is practically confined to her room, and is supported by the charity of friends, for she owns no real or personal property; that soldier left no widow or minor children. Two other witnesses corroborate these statements.

Dr. W. R. Chittick declares she is a helpless invalid confined in bed.

Very old, destitute, and helpless, a pension of \$12 a month may be allowed.

H. R. 22710. William A. Moffitt, aged 68 years, served as a private in Company E, First Regiment Ohio Volunteer Heavy Artillery, from July 19, 1863, to July 25, 1865 (two years), and is now a pensioner under the act of July 14, 1862, at \$17 per month on account of chronic diarrhea and resulting piles and disease of left side of chest.

Increase rejected June 8, 1911, by Bureau of Pensions on medical examination of May 31, 1911, which described the pensioned disabilities and rated at \$24.

Address, Kansas City, Kans., R. F. D. No. 4.

Dr. T. P. Clark, February 28, 1912, deposes that he has treated pensioner during the last 10 years for chronic enterocolitis, lumbago, and neurasthenia, which, with his age, disables him from active manual labor.

Pensioner and his witnesses testify that because of his age and disabilities he has been compelled to give up his job as school janitor, that he is without any means except his pension, no real estate, and his personal property consists of household effects of the value of \$1,000.

An increase to \$36 is warranted.

H. R. 22739. Priscovia Robinson, aged 66 years, is the widow of Benjamin H. Robinson, who served as a sergeant, second lieutenant, and captain in Company G, Eighteenth Regiment Indiana Volunteer Infantry, from July 27, 1861, to November 22, 1864 (3 years 3 months and 25 days).

Soldier was pensioned at \$20 per month under the act of July 14, 1862.

Applicant is pensioned at \$12 per month under the act of April 19, 1908.

Address, 632 East Chestnut Street, Jeffersonville, Ind.

Applicant and soldier were married October 11, 1866.

Soldier died February 14, 1911.

Medical testimony is that applicant suffers from chronic colitis; by reason of her age and physical condition, is unable to earn a living by work.

Other testimony is that applicant has a house valued at \$900 from which she receives an annual rental of \$120. This constitutes her entire property and income.

An increase to \$20 a month is warranted.

H. R. 22796. Aaron G. Armstrong, alias Charles Dunmore, aged 72 years, served as a sergeant in Company L, Sixteenth Regiment Illinois Volunteer Cavalry, from January 15, 1863, to July 8, 1865 (2 years 5 months and 23 days)—was a prisoner of war—and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of July 14, 1862, at \$10 per month by reason of disease of mouth and skin, result of scurvy, and chronic diarrhea and resulting disease of rectum.

Address, Berrien Springs, Mich.

Board of surgeons, October 14, 1891, found pensioned causes.

Medical testimony is that applicant, by reason of weak and enlarged heart and dropsical troubles, is unable to earn a living.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$36 a month is recommended.

H. R. 22860. Henrietta S. Hubbell, aged 59 years, widow of Augustus Hubbell, who served as a captain and commissary of subsistence, United States Volunteers, from September 11, 1861, to August 4, 1865 (3 years and 11 months), is now a pensioner under the act of April 19, 1908, at \$12 per month.

Address, 82 Rogers Avenue, Brooklyn, N. Y.

Soldier was pensioned under special act at \$50 a month, from March 26, 1910. Had formerly been pensioned under the general law at \$30, for hemorrhoids and disease of rectum. He died of paralysis August 10, 1911.

Widow's claim under the general law rejected on medical grounds.

Soldier and this pensioner were married August 6, 1865.

Medical testimony recently filed shows that pensioner is an invalid, suffering from neurasthenia and anemia; she requires an attendant, and has no means for proper care and food.

Pensioner had two courses of treatment in charity hospitals.

She swears she has no real estate or personal property. Two or three years ago she met with a street car accident, which crushed her left foot and injured her leg. She is so poor as to be compelled to seek medical attendance at the charity hospitals.

An increase to \$25 is recommended.

H. R. 22924. David Tipton, aged 66 years, served as a private in Company K, Thirty-ninth Regiment Kentucky Infantry, from November 15, 1863, to September 15, 1865 (1 year and 10 months), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

Was formerly pensioned under act of June 27, 1890, at \$10 for rheumatism and obesity.

Address, Enterprise, Ky.

Medical examinations, March 2, 1904, and April 4, 1906, disclose rheumatism, obesity, and pharyngitis.

Dr. A. J. Hillman, December 2, 1911, declares pensioner is incapacitated for the performance of manual labor by reason of rheumatism, heart weakness, and kidney disease.

Pensioner and witnesses say he has a small farm of 20 acres of the total value of \$200; has no other property or means of support except his pension.

An increase of \$30 may be allowed.

H. R. 22956. John Hartman, aged 69 years, served as a private (unassigned), Fifty-seventh Regiment Ohio Volunteer Infantry, from October 4, 1862, to February 27, 1863 (4 months and 13 days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$10 per month by reason of rheumatism, disease of stomach and heart, and senile debility.

Address, Vaughnsville, Ohio.

Board of surgeons, April 4, 1906, found lumbago, dyspepsia, fatty heart, and senility.

Medical testimony is that applicant is partially paralyzed; since September, 1911, he has been almost completely paralyzed; is unable to care for himself in any way.

Other testimony is that applicant has no property. He has a pension of \$12 a month.

An increase to \$24 a month is recommended.

H. R. 22972. James Rice, aged 65 years, served as a sergeant in Company K, Fifty-fifth Regiment Kentucky Infantry, from March 17, 1865, to September 19, 1865 (six months), and is now a pensioner under the act of July 14, 1862, at \$12 per month on account of disease of eyes.

Medical examination, August 12, 1909, shows disease of eyes and severe deafness.

Dr. C. L. Swinford, April 11, 1912, testifies that pensioner suffers from double inguinal hernia, severe deafness, diseased eyes, and

rheumatism. Further, he has a wife and two children to support, owns no property, and has no means of support.

Other affiants testify that soldier is unable to labor; that one of his children is an invalid, and has been since birth; that he has no real estate or personal property.

Address, Cynthiana, Ky.

An increase to \$24 is recommended.

H. R. 22980. Aloysius Stulz, aged 67 years, served as a private in Company H, Eighty-third Regiment, and Company G, Ninety-seventh Regiment New York Volunteer Infantry, from August 27, 1863, to June 6, 1865 (one year nine months and nine days)—was a prisoner of war—and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$6 per month by reason of injury of right shoulder.

Address, 271 Stagg Street, Brooklyn, N. Y.

Board of surgeons, May 14, 1902, found deformity of arm and general and senile debility.

Medical testimony is that applicant is so afflicted with rheumatism as to be confined to his room and most of the time to his bed, has attacks of vertigo, and is totally blind.

Other testimony is that applicant has no property; he has a pension of \$143 a year from his former employer, and a pension of \$12 a month from the Government.

An increase to \$30 a month is recommended.

H. R. 23137. Stephen S. Lewis, aged 68 years, served as a private in Company A, Forty-fifth Regiment Kentucky Infantry, from July 6, 1863, to December 24, 1864 (one year and five and one-half months), and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of disease of respiratory organs, varicose veins right leg, rheumatism, atrophy of left testicle, and slight deafness both ears; all shown by medical examination of August 11, 1907.

Dr. O. H. Fultz, March 23, 1912, finds pensioner partially deaf, a right inguinal hernia as large as a coconut, which conditions cause complete disability from manual labor.

Two neighbors testify that soldier has no real estate, no personal property, and no income other than his pension.

Address, Ruggles, Ky.

An increase to \$30 is recommended.

H. R. 23175. Joseph Veo, aged 67 years, served as a private in Companies A and E, Fifteenth Regiment Michigan Volunteer Infantry, from February 15, 1862, to August 13, 1865 (3 years 5 months and 28 days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$8 per month by reason of rheumatism, piles, bronchitis, and general debility.

Address, Toledo, Ohio.

Board of surgeons, September 21, 1904, found lumbago, piles, general debility, gastric catarrh, varicosities, and catarrh.

Medical testimony is that applicant is, by reason of paralysis, perfectly helpless.

The applicant is destitute; has nothing for support but his pension and what his wife can earn.

An increase to \$36 is recommended in view of the very long and honorable service and the helpless condition of the applicant.

H. R. 14144. Andrew McDowell, aged 70 years, served as a private in Company C, Thirty-sixth Regiment Indiana Volunteer Infantry, from August 27, 1861, to September 21, 1864 (3 years and 24 days), and is now a pensioner under the act of July 14, 1862, at \$22 per month on account of gunshot wound of right leg and resulting rheumatism, impaired hearing of both ears, resulting in severe deafness of left ear and slight deafness of right ear, resulting in severe deafness of both ears.

Was a prisoner of war.

Address, Muncie, Ind.

Board of surgeons, July 20, 1898, found gunshot wounds of right leg and resulting rheumatism and affection of groin and back, 10/18; disease of heart, 8/18; severe deafness of both ears, 22/30; and chronic nasopharyngeal catarrh, 8/18.

Medical testimony is that applicant has nasopharyngeal catarrh and severe deafness of both ears; he has severe disease of heart, suffers from effects of gunshot wound of right leg; he has frequent acute and subacute attacks of articular rheumatism; he is totally incapacitated for any manual labor.

Aside from his pension the soldier has no income whatever.

An increase to \$36 a month is recommended.

H. R. 16351. John Stobo, aged 66 years, served as a private in Company I, Sixty-seventh Regiment Indiana Volunteer Infantry, from July 22, 1862, to December 4, 1863 (1 year 4 months and 12 days), discharged on surgeon's certificate of disability, and is now a pensioner under the act of July 14, 1862, at \$30 per month on account of disease of heart and lungs.

Address, 1129 Franklin Street, Columbus, Ind.

Board of surgeons, November 17, 1911, found pensioned causes and rated at \$30 per month. The board further recommended that the applicant be granted an increase to \$50, if not the limit of \$72 a month.

Medical testimony is that applicant's heart trouble has increased to a marked degree within the last one or two years, and the resultant pain in the left arm is a constant source of suffering. For years the applicant has been a sufferer from rheumatism, and about a year ago he had a stroke of paralysis, involving the entire left side.

In view of the medical testimony and the recommendation of the examining board, an increase to \$50 a month is recommended.

H. R. 21103. Thomas J. McMullen, aged 72 years, served as a musician in Company H, Seventh Regiment Indiana Volunteer Infantry, from September 7, 1861, to September 20, 1864; also in Company C, One hundred and forty-eighth Indiana Volunteer Infantry, from February 1 to September 5, 1865 (total service, 3 years 7 months and 17 days), and is now a pensioner under the act of July 14, 1862, at \$24 per month on account of disease of heart, result of sun-stroke, and disease of rectum, result of chronic diarrhea.

From each service he was mustered out with field and staff.

Address, Union City, Ind.

Board of surgeons, January 20, 1904, found disease of heart seventeen-eighteenths, sunstroke six-eighteenths, disease of rectum eight-eighteenths, enlarged prostate gland six-eighteenths, and disease of liver eight-eighteenths.

Medical testimony is that applicant has paralysis agitans; disease of heart; rectum is inflamed, and hemorrhoidal vessels engorged: has a number of pile tumors causing great difficulty on defecation. He has enlarged liver; is unable to do manual labor.

The soldier is a poor man and depends upon his pension for a support.

An increase to \$36 a month is recommended.

H. R. 22112. James Finn, aged 67 years, served as a private in Company C, First Regiment Tennessee Volunteer Mounted Infantry, from October 21, 1863, to December 13, 1864, and in Company C, Eighth Regiment Tennessee Volunteer Mounted Infantry, from February 12, 1865, to August 31, 1865 (one year eight months and one day), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of July 14, 1862, at \$10 per month by reason of nearly total deafness of right ear.

Address, Mitchellville, Tenn.

Board of surgeons, July 20, 1904, found pensioned cause rheumatism, disease of heart, and age.

Medical testimony is that applicant, by reason of chronic rheumatic condition, is totally disabled.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$36 a month is recommended.



62D CONGRESS, } HOUSE OF REPRESENTATIVES. }
2d Session. }

REPORT
No. 581

CONSIDERATION OF H. R. 23349.

APRIL 20, 1912.—Referred to the House Calendar and ordered to be printed.

Mr. HENRY of Texas, from the Committee on Rules, submitted the following

REPORT.

[To accompany H. Res. 498.]

The Committee on Rules, to whom was referred the resolution (H. Res. 498) providing for the consideration of H. R. 23349, have considered the same and recommend that it be adopted.

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PENSIONS AND INCREASE OF PENSIONS FOR CERTAIN SOLDIERS AND
SAILORS OF THE REGULAR ARMY AND NAVY, ETC.

APRIL 25, 1912.—Committed to the Committee of the Whole House and ordered to
be printed.

Mr. SELLS, from the Committee on Pensions, submitted the following

REPORT.

[To accompany H. R. 23765.]

The Committee on Pensions, to whom was referred sundry bills granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, etc., submit the following report:

This bill is a substitute for the following House bills referred to said committee:

H. R. 6817. John W. Bolt.
8542. Morton W. Sebring.
9804. Alfred B. Light.
14349. Jane R. Bonnin.

H. R. 16409. Jane R. Adams.
17970. Charles J. Cronin.
23477. Jacob M. Ratcliff.

H. R. 6817. John W. Bolt, of National Soldiers' Home, Tennessee, during the War with Spain served as a private in Company G, Third Regiment Georgia Volunteer Infantry, from July 13, 1898, to April 22, 1899, when mustered out with the company. A part of the service was performed in Cuba.

He applied for pension February 11, 1910, stating that in March, 1899, in Cuba, he contracted malarial poisoning, chills and fever, and a severe cold which has resulted in disease of lungs.

In a letter to the Commissioner of Pensions, dated May 7, 1910, the claimant stated that he enlisted in Company G, First Georgia Regiment (State troops) Brunswick Riflemen, in August, 1906, and went with the company to the Chickamauga encampment of 1906, under direction of the Government, and from exposure in bad weather during the warm, rainy season he contracted pneumonia, which resulted in tuberculosis.

The claim was rejected May 23, 1910, as to malarial poisoning and chills and fever on the ground of no ratable disability therefrom since filing application. It was rejected as to disease of lungs on the ground that such disease was not contracted in the United States

military service during the War with Spain, but was contracted afterwards while the claimant was apparently serving in the National Guard of Georgia, as shown by his own statement.

The War Department records show the soldier 21 $\frac{3}{4}$ years of age at enlistment. No physical defects were found at that time, and the records contain no evidence of medical treatment during service, but a note on the company muster-out roll reports him on furlough from September 24 to 30, 1898, and sick in quarters August 2, 29, 30, and 31, September 3, and December 14 to 28, 1898, and January 9, 1899.

At discharge he disclaimed having any disability; his captain, J. I. Gilbert, certified that he had no knowledge of any disability; but a surgeon certified that he had examined the soldier, and found "varicocele on left side," producing no disability.

The claimant was examined March 9, 1910, by a board of surgeons at Johnson City, Tenn. They reported him 5 feet 11 inches in height and weighing 135 pounds. Of malarial poisoning they said:

Tongue heavy brown coat and red tip; area of liver extends from right transverse nipple line to 2 inches below border of ribs in the mammary line; no change in stomach; no increased area of spleen; no change in bowels except relaxed abdominal walls; no piles, fissures, etc.; no dysentery; no rate; no jaundice.

They described pulmonary tuberculosis and rated it at \$30 per month. They also said the heart was weak, but without organic change in sounds, area, etc. No kidney disease.

No evidence was filed.

Four affidavits were filed with a bill in the Sixty-first Congress. They were made January 4, 1911, by Eustace C. Bates, mayor of Brunswick, Ga.; I. W. Simmons, M. D.; Alfred Christie, M. D.; and Frank A. Dunn, and all in the same language, of which the following is a copy, viz:

I, the undersigned, do hereby certify, after having been duly sworn, that from personal knowledge I have known John W. Bolt for many years past; that I have always known him to be of good moral character and habits; further, that previous to the year 1899 the said John W. Bolt, to the best of my knowledge, enjoyed good health; that he returned in the year 1899 from service in the Spanish-American War much broken in health, having for about six years thereafter been able to work only at intervals, and for the past four years being almost totally disabled, his illness having developed into tuberculosis, and that he is now being cared for by the United States Government at the National Soldiers' Home, Tennessee.

In an affidavit executed January 22, 1912, the petitioner states that he is wholly disabled by tuberculosis and is advised that he is now in the last stages of that disease; that he has no property and no income.

A certificate from the surgeon of the National Soldiers' Home at Johnson City, Tenn., shows the admission of the claimant to that home December 5, 1911, and that he is totally and permanently disabled by tuberculosis and that he suffers considerably from chronic articular rheumatism.

Your committee are convinced by this foregoing history of this case that the claimant is seriously disabled by reason of his military service, and they respectfully recommend the allowance of pension at the rate of \$15 per month.

H. R. 8542. Morton W. Sebring, of Newcastle, Ind., served during the War with Spain as a private, corporal, sergeant, and quartermaster sergeant of Company E, Sixteenth Regiment United States

Infantry, from August 8, 1898, to August 7, 1905, two terms of enlistment, when discharged by expiration of term of enlistment. A large part of the service was performed in the Philippine Islands, though the last two years the soldier was stationed at Fort McPherson, Ga.

He applied for pension November 14, 1904, stating that about November 19, 1903, he contracted deafness of both ears by reason of the accidental discharge of a comrade's gun during a sham battle; that he contracted rheumatism about May, 1901, and during the year 1900 he contracted dysentery, resulting in disease of digestive organs and nervousness, and corns on both feet.

In a declaration filed November 20, 1909, the claimant alleged malarial fever incurred about August 15, 1899, and piles as a result of dysentery. The piles, he stated, developed about February or March, 1905.

The claim was rejected April 24, 1904, because of no ratable disability from dysentery, disease of digestive organs, nervousness, corns, rheumatism, and impaired hearing, and because the evidence failed to connect rheumatism and impaired hearing with the military service.

It was rejected July 13, 1910, for nervousness, because of no record, medical or other satisfactory evidence, showing origin or existence in service or at discharge for rheumatism, dysentery and resulting piles, and disease of digestive organs and malarial fever, because no medical or other satisfactory evidence was furnished showing the continuance of those causes of disability from date of discharge.

The War Department records show the soldier treated from February 16 to 21, 1900, for acute diarrhea; June 1 to 4, 1900, for furuncle on top of right shoulder; November 1 to 4, 1900, acute diarrhea, mild; July 20 to 25, 1901, for acute malarial fever, remittent, benign, tertian; October 27 to 29, 1902, for strain on fatigue; February 14 to March 1, 1903, sprain, accidental, while playing baseball; August 1 and 2, 1903, for corns on toes of both feet; November 10 to 13, 1903, for sprain received while playing football, November 9, 1903; July 1 to 6, 1904, punctured knife wound, accidental.

The only defect noted at enlistments was slight varicose veins back of both knees.

A contract surgeon testified June 1, 1909, that he treated the soldier some time between August and December, 1901, for malarial fever and dysentery, and between February and May, 1902, for rheumatism. The witness said no record was made, because during the first period the soldier was in command of a detachment and during the second period his duties were light and could be executed notwithstanding the illness.

On February 2, 1905, Leslie O. Shores and Robert L. Dye, members of the soldier's company, testified in affidavits written in the same handwriting and in identical language, that they had known the soldier four and a half years, during which time they heard him complain of suffering from deafness, rheumatism, indigestion, nervousness, and corns; that he had been greatly inconvenienced by those causes upon numerous occasions; that about November 19, 1903, the discharge of a comrade's gun during sham battle had caused deafness.

In an affidavit executed March 22, 1905, before an Army officer, Shores stated that he had heard the soldier complain of corns in

1900, and also while playing baseball at Fort McPherson, Ga.; that he does not know how the corns were contracted; that he has seen the soldier play baseball and compete in athletics at Fort McPherson during the past two and a half years; that he has, during the same time, heard the soldier complain of stomach trouble; does not know to what extent he had it nor how contracted if he did have it; that he has also during the same period heard him complain of being nervous, but knows nothing more than the complaint, and the same in respect to rheumatism and alleged deafness.

Dye made a similar affidavit on the same day.

The captain of the claimant's company certified from the records to his sickness, and said:

With reference to the claim of Morton W. Sebring regarding corns on feet, disease of digestive organs, nervousness, rheumatism, and deafness of both ears, I have no knowledge regarding any such disabilities.

Sergt. Sebring gave no outward evidence of the same, as he was continually playing ball and engaging in all kinds of athletic exercises, which only a man in the best of physical condition could undertake.

Regarding his sickness previous to arrival in the United States, my best recollection is that it was due principally to malarial fever, which no one in that region escaped entirely.

John McClanahan, private of soldier's company, testified March 9, 1905, that he had known the soldier to suffer from corns, rheumatism, indigestion, and deafness for four and a half years.

Louven Neff testified March 11, 1910, that he had known the claimant seven years; was with him in Atlanta, Ga., from discharge to August, 1907; that after discharge he was afflicted with rheumatism, malarial poisoning, and dysentery to such an extent as to be unfit for labor one-half the time, and from about March, 1905, he complained of piles.

Two lay witnesses stated that the claimant had complained more or less since 1907 of the effects of malarial poisoning, rheumatism, dysentery, and piles, being one-half disabled thereby.

Dr. C. E. McKee stated October 25, 1909, that he treated the soldier while on furlough between April 10 and June 10, 1903, for dysentery and malaria and for dysentery in December, 1908, and for malaria in March, 1909. Has no record.

Dr. O. J. Gronendyke testified that he prescribed for the claimant several times for muscular rheumatism. The treatment was between April 25 and July 1, 1909; could not give dates.

Dr. Frank E. Abbett testified that the claimant called on him August 4, 1909, suffering great pain in rectum, which came on the day before, and was followed by constipation, burning, itching, intense pain, loss of appetite, and headache; that he was emaciated, restless, and nervous. Examination disclosed external and internal hemorrhoids, with extensive fissures and extended inflammation of the rectal walls and general intestinal tract. He said he treated the claimant twice daily from August 4 to 24, 1909, and last prescribed for him August 29, 1909, when his acute symptoms had subsided. He said such acute attacks would recur at varying intervals and result in entire disability or until an operation was performed.

The claimant was examined by a board of surgeons at Atlanta, Ga., December 21, 1904. They reported no evidence of rupture or perforation of ear membrane and no disease of ears, but found some impaired hearing of both ears, more of left than right, could hear

loud conversation at 3 feet with left ear and ordinary conversation with right ear at 6 feet.

They could discover no evidence of rheumatism, disease of liver or stomach, no heart disease, and no respiratory trouble.

They found slight catarrhal inflammation of rectum with venous engorgement, no piles, no fissure, fistula, or ulcers. Tongue clean, eyes clear, skin ruddy and healthy, muscles firm, and nourishment good. Two small corns, one between third and fourth and one between fourth and fifth toes of right foot, which do not cause defective gait or affect use of foot.

In an affidavit filed with the bill the petitioner states that he is unable to perform manual labor by reason of his disabilities; that he has no property and has been compelled to accept charity at the hands of his friends.

Louven Neff states that the petitioner has been in his employ a portion of the past two years and has suffered with rheumatism, malarial poisoning, dysentery, and stomach trouble, and has been unable to work half the time. Another witness makes the same statement as to condition for the same time.

Dr. Frank E. Abbett testified in an affidavit executed November 24, 1911, substantially as before.

Dr. E. K. Westhafer states that the petitioner had been under his "observation, care, and treatment" during the greater part of the last year, more or less; that he examined him October 30, 1911, and found him suffering with intestinal indigestion, which seems to be acute attacks of a chronic condition, as he has known the petitioner to be a sufferer of what he says is the result of dysentery contracted in the Army; that he found enlarged liver, splenic dullness enlarged, bowels tender, prolapsed rectum, and dilated hemorrhoidal veins, and that he has frequently prescribed for diarrhea and hemorrhoids. Does not consider the petitioner able to do manual labor and have advised operation for rectal trouble, but do not consider him able to stand operation at this time, December 6, 1911.

The evidence in this case convinces your committee that the claimant is somewhat disabled from causes due to his military service. They respectfully recommend the allowance of pension at the rate of \$10 per month.

H. R. 9804. Alfred B. Light, of Eureka Springs, Ark., served during the War with Mexico as a private and corporal in Company D, Third Regiment Missouri Mounted Volunteers, from May 8, 1847, to August 23, 1848, when discharged on account of disability.

The soldier was pensioned as a Mexican War survivor June 20, 1887, at \$8 per month from January 29, 1887, under the law of that date. That rate was increased to \$12 from March 3, 1903, under the act of that date, and to \$20 per month from February 15, 1907, under the act of February 6, 1907.

Evidence filed with the bill shows the pensioner to be 87 years of age and wholly disqualified for the performance of manual labor by reason of disability due to age and physical infirmities.

The evidence also shows the pensioner without property except a house and household goods, all of the value of \$700, and no income except his pension with which to support himself and wife.

In accordance with precedent and in consideration of the pensioner's great age, physical disability, and meager income your

committee respectfully recommend the allowance of pension at the rate of \$30 per month in lieu of that he is now receiving.

H. R. 14349. Jane R. Bonnin, of Blairsville, Pa., is pensioned at the rate of \$12 per month as the widow of George W. Bonnin, who served as a sergeant of Company E, Second Regiment Pennsylvania Volunteers, in the War with Mexico, from December 24, 1846, to July 14, 1848.

The pensioner was born September 30, 1831, and was married to the soldier July 12, 1866. He died September 14, 1878, and the widow has drawn pension since January 29, 1887, at \$8 per month until March 19, 1908, when the rate was increased to \$12 by an act of Congress of that date.

The pensioner states that she owns no property except a one-seventh interest in a house and lot in Blairsville, Pa., of the value of \$400, and that her sole income is \$144 per year, the amount of her pension.

Witnesses testify that the pensioner is without means, property, or income except such as she states she has and that she is permanently and totally disabled by fracture of her left hip and thigh, incurred three years ago.

This claimant is receiving the maximum pension allowable under the general law, but in view of her advanced age (81 years), serious and permanent physical disability, and necessitous financial circumstances, your committee believe she should have additional relief. They recommend the allowance of pension at the rate of \$24 per month in lieu of that she is now receiving.

H. R. 16409. Jane R. Adams, of Columbia, Tenn., is pensioned at the rate of \$12 per month as the widow of George William Adams, captain of Maj. Chevallier's battalion of Texas Cavalry, during the War with Mexico, from March 6, 1847, to June 30, 1848.

The pensioner's age is not shown in the case, but inasmuch as the evidence shows her marriage to the soldier on October 1, 1850, more than 61 years ago, she must now be quite old.

The testimony shows that the pensioner is without property or any means of support other than her pension of \$144 per year.

J. G. Williamson, M. D., of Columbia, Tenn., testified that the pensioner—

had a fall fracturing the right lower limb at the neck of the femur on the 12th day of July, 1911, which fracture has kept her confined to bed since that time up to the present time, requiring the constant attention of two nurses during the entire time, she being entirely helpless. As her physician, I can not say how long this condition may last, but am sure it will be a long time yet, perhaps the remainder of her life.

Other witnesses corroborate the physician's testimony.

In view of the advanced age, helpless physical condition, and necessitous financial circumstances of the pensioner, your committee believe she is inadequately pensioned, though she is receiving all that she can get through the Pension Bureau. They respectfully recommend that pension be allowed at the rate of \$24 per month in lieu of that she is now receiving.

H. R. 17970. Charles J. Cronin, of Ludlow, Ky., served during the War with Spain as a private in Company K, Sixth Regiment, United States Infantry, from October 29, 1898, to September 8, 1901, when transferred to Company L, Eighteenth Regiment, United States

Infantry, from which he was discharged October 28, 1901, by expiration of term of enlistment. He previously served as a private in Company I, First Regiment, Ohio Volunteer Infantry, from July 29 to October 25, 1898, when mustered out with the company.

The first-mentioned term of service was chiefly performed in the Philippine Islands.

He applied for pension June 1, 1904, on account of rheumatism alleged to have been contracted in the Philippine Islands in April, 1901.

July 10, 1904, he said he contracted malarial fever in December, 1899, and chronic diarrhea contracted in March, 1900. August 20, 1906, he alleged disease of throat and lungs, contracted in October, 1899.

The claim was rejected July 18, 1908, on the ground that no ratable disability was shown from date of filing from the alleged causes.

The War Department records show the soldier 22 years of age at first enlistment. No physical defects were noted at either enlistment, and no disability was claimed at first discharge. He was treated for intestinal colic in May, 1899; for acute diarrhea in December, 1899, and June and August, 1900; and for chronic muscular rheumatism, right shoulder, April 7 to 9, 1901. The records show other treatment at different periods during the second service, but not for the alleged causes of disability.

A medical examination made August 10, 1904, disclosed crepitation in right shoulder joint, left shoulder, knee and elbow joints, rated at two-eighteenths.

No disease of lungs or throat shown. Liver and spleen normal. No evidence of diarrhea. The board said: "Has a very slight pharyngitis." Height, 5 feet 5½ inches; weight, 145 pounds.

An examination made April 22, 1908, showed same weight as before, chronic laryngitis, hoarse voice, rated two-eighteenths. No objective evidence of lung disease was disclosed. Rheumatism was rated four-eighteenths; heart disease, four-eighteenths. No sign of malarial poisoning was shown. Liver and spleen normal. No evidence of chronic diarrhea.

The claimant's captain, Company K, Sixth United States Infantry, certified that the soldier was sick in hospital with malarial fever for several weeks and was very ill in December, 1899, or early in 1900, and he thinks he was in hospital with same disease at later dates.

A lieutenant of the same company certified that the soldier was under his immediate command from July 8, 1899, to February, 1900; that he performed the hardest kind of service, was hardly ever dry; that he was one of the best soldiers, and the witness remembered that he complained of sickness once or twice, and he believes had fever, but no surgeon was with them then.

Comrades testify that the soldier had chronic diarrhea in March, 1900; chronic rheumatism in 1899, and on transport coming home in 1901; of complaints in chest and throat in the fall of 1901 and en route home; that he was sent to hospital twice with rheumatism; that he had cold and throat and lung trouble in the fall of 1901.

One witness stated that he had rheumatism from 1902 to 1906, and hemorrhages, and was wholly disabled.

A physician testified to treatment at different times from 1901 to 1906 for general debility, chronic malaria, several attacks of hemorrhages from the lungs, and chronic diarrhea. Also for pains in limbs, which were swollen, and that he advised home remedies for rheumatism.

Another physician said he had attended the claimant for several attacks of chills and fever and a hemorrhage from the lungs from 1903 to 1906, and that he was totally disabled.

In an affidavit accompanying the bill the claimant states that he is a poor man with a wife and two children to support and is unable to perform manual labor.

About a dozen witnesses state in general terms that the claimant is a poor man who has lost a good deal of time by sickness during the past several years; that he has not been able to work regularly.

One witness says he has had rheumatism and another says rheumatism and general debility, and that affiant had refused to employ him on account of his condition from those causes.

A physician states that he had examined the claimant March 18, 1912, and that he was then disabled by rheumatism, flat feet, and chills and fever, which interfere with his earning a living for himself and family, and that he has no means of support. Also, that he is constantly in need of medical attention and is of good habits.

Believing that the evidence in this case shows the existence of disability due to the claimant's military service, your committee respectfully recommend the allowance of pension at the rate of \$12 per month.

II. R. 23477. Jacob M. Ratcliff, of Little Blue, Mo., is pensioned at the rate of \$8 per month as a private in Company H, First Regiment United States Dragoons, for service in the Texas and New Mexico Indian War, under the acts of July 27, 1892, and June 27, 1902.

The pensioner's service commenced February 1, 1850, and ended September 21, 1853.

Evidence filed with the bill shows the pensioner to be past 81 years of age, in poor health, and to have no income, aside from his pension, except about \$7 per month derived from other sources not specified.

In accordance with many precedents in this class of claims, and in view of the claimant's advanced age, and small means, your committee respectfully recommend the allowance of pension at the rate of \$16 per month in lieu of that he is now receiving.





INVESTIGATION OF THE MONEY TRUST.

APRIL 25, 1912.—Ordered to be printed.

Mr. HENRY of Texas, from the Committee on Rules, submitted the following

REPORT.

[To accompany H. Res. 504.]

The Committee on Rules, to which was referred the resolution (H. Res. 504) to amend House resolution 429, have considered the same and report the same with the following amendment:

Strike out the words beginning line 10, page 10, down to and including the word "investigation," in line 21, page 10, and recommend that the resolution with the amendment indicated be adopted.

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CHARGES AGAINST ROBERT W. ARCHBALD.

APRIL 25, 1912.—Ordered to be printed.

Mr. CLAYTON, from the Committee on the Judiciary, submitted the following

REPORT.

[To accompany H. Res. 511.]

The Committee on the Judiciary, having had under consideration House resolution 511, report the same back with the recommendation that the resolution be agreed to.

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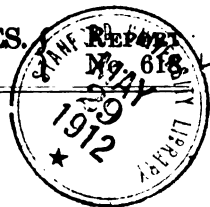
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PENSIONS AND INCREASE OF PENSIONS FOR CERTAIN SOLDIERS
AND SAILORS OF THE REGULAR ARMY, ETC.

APRIL 29, 1912.—Committed to the Committee of the Whole House and ordered to be printed.

Mr. RICHARDSON, from the Committee on Pensions, submitted the following

REPORT.

[To accompany S. 5623.]

The Committee on Pensions, to whom was referred Senate bill 5623, have examined the same and report:

The report of the Committee on Pensions of the Senate, hereto appended, is in part adopted, and the passage of the bill is recommended when amended as set out at the close of this report, the reasons for such amendments there being stated.

[Senate Report 440, Sixty-second Congress, second session.]

This bill is a substitute for the following Senate bills referred to said committee:

S. 345. Alfred Faucher.
892. George W. Simmons.
1368. John W. Barnes.
2157. Thomas Gorman.
2711. Alan P. Wilson.
3137. John H. Mumaw.
3270. Richard Burnside.
3683. James Petree.
3755. Bertha B. Byrne.

S. 4018. George Berry.
4132. Roberson Ford.
4503. Allen Tyler.
4538. Willoughby Churchill.
4612. John McCombs.
4765. Anne Jones Banks.
4814. Emily Whitman.
4875. Frank H. Lasher.
4914. George A. Wageck.

The following are the facts as ascertained by the committee concerning the case of each beneficiary in said bills and the conclusions of said committee as to the proper increase which should be granted:

S. 345. Alfred Faucher enlisted September 26, 1899, as a private in Company F, Forty-third United States Volunteer Infantry, and was honorably discharged at the Presidio, San Francisco, Cal., July 1, 1901. His original application for pension, filed May 22, 1907, alleges disease of eyes, hemorrhoids, and scalp wound right side, incurred while doing duty in the Philippine Islands.

His second application, filed November 15, 1910, alleges disease of eyes, diarrhea, and resulting hemorrhoids or piles and scalp wound of right side.

The company muster rolls report claimant sick in quarters June 4 and 5, and August 4 to 9, 1900. The hospital records show him treated June 4 to 6, 1900, for acute diarrhea, and August 4 to 10, 1900, for slight scalp wound received from accidental fall on coral, right temporal region, in line of duty.

Private Roswell Marshall, Hospital Corps, United States Army states that claimant was a patient in hospital at Ormoc, Leyte, P. I., in the fall of 1900 suffering from some inflammatory disease of the eyes and was returned to duty apparently cured.

Surgeon John F. Leeper, by whom claimant alleges he was treated, states there were a few cases of conjunctivitis in the command at Laguan, Samar, P. I., about May, 1900, but he is unable to connect claimant with any of them at this late date.

Two comrades testify that soldier was in field hospital on the island of Samar in May, 1900, suffering from sore eyes, and was treated by Surg. Leeper. One of these comrades testifies that claimant was again sick with sore eyes on the island of Leyte, P. I., about the later part of October, 1900.

Two comrades testify that claimant complained of suffering from piles on the transport coming from the Philippines before their discharge at San Francisco.

Two neighbors testify that claimant was a rugged healthy man before he entered the Army, and that since his return his eyes have troubled him preventing him from performing his labors, so that he has been obliged to be off duty a great deal on that account.

Samuel Faucher and George Faucher, brothers, testify to soldier's prior soundness; that on his return he had trouble with his eyes and is troubled with weak eyes to this day; that they saw claimant's hemorrhoids or piles on his return home and have seen them many times since.

Dr. A. M. Lavelle testifies that he treated soldier after his discharge on or about July 15, 1901, for hemorrhoids and advised him to undergo an operation.

Dr. E. C. Tremblay testifies that he treated soldier in May and June, 1903, for conjunctivitis, catarrhal; that he treated him again in December, 1903, and January and February, 1904, for same trouble and last visited him in April and May, 1906; that claimant's eyes were in very bad condition and claimant informed him on his first call that his eyes began to trouble him in the Philippine Islands.

The board of surgeons before whom claimant was first examined August 7, 1907, rated him \$8 for disease of eyes; \$6 for disease of rectum, and nothing for scalp wound or injury to head.

A board of surgeons at Nashua, N. H., before whom claimant was last examined December 21, 1910, rated him \$4 for diarrhea and piles; \$6 for disease of eyes, and nothing for scalp wound. Accompanying the bill is an affidavit of a physician who states that claimant has scar on right side of head, tender upon pressure; rectal trouble, chronic diarrhea, varicose veins of both legs, and impairment of sight of both eyes and that he is incapacitated for performing manual labor. Also affidavit of two neighbors that claimant is poor and without means.

The Commissioner of Pensions rejected the claim on the ground that service origin of disease of eyes and rectum (hemorrhoids) was not proved and on the ground of no ratable disability from diarrhea and scalp wound of right side. Your committee are of opinion, how-

ever, that the testimony is in favor of the applicant and that disease of eyes and hemorrhoids are fairly proved to have been caused by his Army service for which he should have pension of \$12 per month.

S. 892. George W. Simmons served from February 2, 1856, to July 22, 1856, in the Oregon and Washington Territory Indian wars as a private in Capt. Swindal's company, Second Regiment Washington Mounted Volunteers. He also served in the same wars from November 18, 1855, to January 24, 1856, as a private in Company C, First Regiment Washington Volunteers.

He is a pensioner at \$8 per month under the Indian war service acts of July 27, 1892, and June 27, 1902. He is 76 years of age, and evidence filed with this committee shows that he is physically incapacitated for performing any manual labor and that he has no property or income from any source except his small pension. There are many precedents for increasing the allowance to the aged, destitute, and totally disabled survivors of the early Indian wars, and your committee recommend pension of \$16 per month, as proposed in the bill.

S. 1368. John W. Barnes, the applicant, was a private in Company H, First Nebraska Volunteer Infantry, serving in the Philippine Islands during the War with Spain. He enlisted in the Army May 6, 1898, and was discharged August 23, 1899. His claim for pension was admitted for malarial poisoning at \$6 per month from November 14, 1906, and subsequently increased to his present allowance of \$8 per month from April 7, 1909.

The official records show that soldier was treated in hospital during service for intermittent malarial fever and exhaustion from heat fatigue and that at discharge he was suffering from diarrhea. It is proved that he was sound and able-bodied when he enlisted and that his health has been broken and impaired since his return home. He has suffered from malarial poisoning, diarrhea or dysentery, and stomach and bladder troubles as a result of exposure and drinking impure water while campaigning in the Philippine Islands, and has been more or less disabled for manual labor or for earning a livelihood. He was operated on for stone in bladder in September, 1901, and for appendicitis in 1906.

An examining board for the bureau under date of April 7, 1909, rated claimant \$12 for the disability caused by effects of malarial poisoning, and medical and other evidence filed with this committee is to the effect that he is practically unable to perform manual labor by reason of his service disabilities. He is 34 years of age, poor and needy, and worthy and deserving of relief. After careful examination of the evidence the committee believe that the case is a meritorious one and recommend increase of pension to \$16 per month.

S. 2157. Thomas Gorman, the claimant, was a private in Company B, First New Hampshire Volunteer Infantry, and the records show that he served during the War with Spain from May 11, 1898, to October 31, 1898. He established a claim under the general law and was pensioned at \$6 per month for malarial poisoning contracted in camp at Chickamauga, Ga. Claims for increase were rejected March 17, 1909, and December 12, 1910.

The board of surgeons before whom claimant was last examined, November 16, 1910, rated the disability from malarial poisoning at ten-eightieths, or \$10 per month. The evidence shows that claimant

also suffers from attacks of epilepsy, which came on him some years after discharge. What the cause of the epilepsy is we are unable to determine, but the medical authorities of the Pension Bureau say that it is not due to malaria.

The claimant is about 34 years of age. Evidence filed with this committee is to the effect that he is wholly unable to perform manual labor and that he is poor and without means or income, except his pension. Giving him the benefit of the doubt, your committee recommend increase of pension to \$12 per month.

S. 2711. Alan P. Wilson served during the War with Spain as a private and corporal in Company I, Second Regiment Virginia Volunteer Infantry. He enlisted April 24, 1898, and was honorably discharged December 20, 1898. His claim for pension filed July 28, 1910, is based upon results of typhoid and gastritis contracted in camp at Jacksonville, Fla. This occurred about September 1, 1898. He was first treated by the regimental surgeon and later sent to hospital where he remained until September 29, 1898, when he went home on furlough with his company. He is also reported as on sick leave from October 23 to 29, 1898. The claim has been rejected on the ground that the resulting disabilities from typhoid fever have not been proved. It appears, however, that he was a sound young man of 22 years when he entered the Army and that he has been in impaired health since his return from the service. The incurrence of typhoid fever and gastritis in camp clearly appears from the hospital records and from the evidence of nurses and physicians by whom he was treated. Shortly after his admission he suffered a large number of hemorrhages from the bowels and was not expected to live, his father being summoned from his home by telegram. For a brief period after his discharge he improved in health but soon became disabled with heart, stomach, and bowel troubles and other ailments, which have continued to the present time, incapacitating him for manual labor and which, in the opinion of the physician, are the results of typhoid fever contracted in camp. His medical examination by bureau surgeons in September, 1910, and December, 1910, show the existence of his disabilities and that he is thereby rendered incapable of performing manual labor. There is little doubt he is broken in health and the committee conclude it is due to his sickness in service and that he should have the pension of \$12 per month proposed in the bill.

S. 3137. John H. Mumaw, the claimant, served during the War with Spain as a private in Company I, Eighth Regiment Ohio Volunteer Infantry. He enlisted June 7, 1898, and was honorably mustered out November 21, 1898. The evidence shows that while in service at Camp Alger, Va., and later in Cuba he contracted eye trouble causing disease and loss of sight of left eye. He applied for pension November 28, 1898, from which date his claim was admitted at \$6 per month for disease of left eye. On May 11, 1904, his rate was increased to \$8 per month, which is the pension he is now receiving.

It appears from the evidence on file that the claimant for all practical purposes is totally blind in left eye. This is the conclusion of the bureau expert surgeon, who rated the disability at twelve-eighteenths, or \$12 per month. Evidence of a physician filed with this

committee is to the effect that claimant is practically blind in left eye, being only able to distinguish light from darkness.

Claimant is 32 years of age and very poor. The bureau schedule rating for total loss of sight of one eye is \$12, and it is believed claimant should have increase to that amount.

S. 3270. Richard Burnside, the claimant, was a private in Company C, Thirty-eighth Regiment United States Infantry, and served a term of enlistment covering the period from April 3, 1867, to April 3, 1870. In an application for pension filed December 21, 1891, he alleges disease of back from smallpox incurred about May 1, 1867, at Jefferson Barracks, Mo. The Commissioner of Pensions rejected the application on the ground of no record and claimant's inability to furnish satisfactory evidence to show that his disability was due to the military service.

The records of the War Department show that soldier was treated in service from April 29 to June 19, 1867, for variola and from June 24 to 27, 1868, for congestion of kidneys.

The claimant declares that he was taken with smallpox at Jefferson Barracks, Mo., and when recovering therefrom caught a heavy cold and was taken down sick with his kidneys and back and was bedfast and under treatment for a long time; that he does not know what the doctors called his back troubles, but said it was his kidneys mostly, and came from contracting cold after having the smallpox; that he was taken suddenly with an awful pain in his back and was so that he could not stand up and could not turn in bed and could not hold his water; that some time in 1868 he had another attack of the same kind, with an awful pain, and could not hold his water at all and passed bloody water and was in hospital then for three or four days, and that he has been disabled in his back ever since those attacks in the Army.

Claimant furnished the evidence of two comrades to show that he had smallpox in the Army in May, 1867, and afterwards complained of weakness and trouble in the back.

It is observed that the records show treatment for variola (smallpox) in May, 1867, and for congestion of kidneys in June, 1868, corroborating statements of himself and comrades.

Testimony of neighbors, taken by a special examiner of the bureau, shows that he was sound and in good health when he enlisted, and that he has complained of and suffered from back trouble since his discharge from the service and has been more or less disabled and sometimes unable to perform any manual labor.

Claimant was first medically examined March 23, 1892, by a full board of surgeons, who rated him \$4 for lumbago and \$4 for heart disease. On his second examination, October 18, 1899, he was rated \$6 for lumbago. On his third and last examination, August 5, 1903, he was rated \$8 for rheumatism and resulting lumbago.

Claimant, who is 68 years of age, is a man of good reputation for truth. In the judgment of the committee the evidence tends to show that his disability is due to service and merits the allowance of pension at the rate of \$10 per month.

S. 3683. James Petree, of Roseburg, Oreg., served in the Oregon and Washington Territory Indian war from February 13, 1856, to June 19, 1856, as a private in Capt. W. H. Latshaw's company, Second Regiment Oregon Mounted Volunteers. He also served from October 23, 1855, to January 27, 1856, in Company B, Second

Oregon Mounted Volunteers. He is a pensioner under the service act of July 27, 1892, and June 27, 1902, at the rate of \$8 per month.

He is 81 years old and evidence accompanying the bill shows that he is afflicted with chronic bronchitis, heart disease, right inguinal hernia, and the infirmities incident to old age, and is totally disabled and no longer able to earn a livelihood. It also appears that he is in indigent circumstances, having no means of support except his pension. There are many precedents for legislation in cases of this character, and increase to \$16 per month is recommended.

S. 3755. Bertha B. Byrne, the applicant, is at present in receipt of a pension of \$30 per month as the widow of Bernard A. Byrne, late lieutenant colonel Fortieth Regiment United States Volunteer Infantry.

Col. Byrne was appointed October 15, 1875, second lieutenant in the Sixth Regular Infantry, and was in service continuously until July 13, 1906, when he was placed on the retired list at his own request. He was promoted first lieutenant December 31, 1882; captain November 9, 1894; major Thirtieth Infantry February 28, 1901, and lieutenant colonel Twenty-eighth Infantry June 15, 1906. From August 28, 1899, to June 24, 1901, he was lieutenant colonel Fortieth Volunteer Infantry, serving with that regiment in the Philippine Islands.

Col. Byrne was a brave and efficient officer and was highly commended in orders for distinguished services rendered by him, particularly in the Philippine insurrection. He took part in every campaign or expedition in which his regiment or command was engaged during the period of his active service, including the Sioux War of 1876, the Ute disturbances of 1880, the Cuban campaign, and Philippine insurrection. He went to Cuba with the Sixth Infantry, participated in the battle of San Juan and all subsequent fighting, returning with his regiment to the United States. In May, 1899, he went to the Philippine Islands and remained there for three years and two months, two years of which time he was actively engaged in field operations. He was awarded a medal of honor for most distinguished gallantry in action at Bobong, Negros, P. I., July 19, 1899.

Col. Byrne died February 28, 1910, of amebic dysentery contracted by him during his long and arduous services in the Philippines. He sacrificed his life for his country just as surely as if he had been killed in battle. His widow has two minor children under the age of 16 years for each of whom she is paid the sum of \$2 per month, in addition to her widow's pension of \$30 per month. She was married to the deceased officer February 11, 1892, and is now about 39 years of age.

Evidence filed with this committee shows that Mrs. Byrne is now in very poor health and also in very reduced circumstances. She suffered severely during the long sickness and death of her husband and is now physically incapacitated for earning a living. She has a little property, but it is of small value and yields practically no income above her expenses. She is also very much in debt, and to pay her obligations would take all the means she has. She has but little income aside from her pension and is partly dependent for the support of herself and children upon her father, who is a retired Army officer, and who is illy able to bear this additional burden.

It is believed that the distinguished services of the soldier, which won for him so many promotions, and merited the commendations of his superior officers, and the widow's necessitous circumstances, justify increase of her pension to \$40 per month.

S. 4018. George Berry served during the War with Spain as a private in Company H, First Montana Volunteer Infantry; was enlisted May 1, 1898, and honorably discharged September 5, 1899.

The pension which he draws at present is \$17 per month, under the general law, for neurasthenia and disease of throat, contracted from exposure and hardships while doing duty in the Philippine Islands. He was first pensioned at \$6 per month from September 13, 1899; increased to \$8 from September 27, 1905; to \$10 from August 8, 1906, and to \$17 from February 13, 1907. Claims for further increase were rejected May 5, 1908, January 16, 1909, and December 15, 1910.

When this claimant was last examined by bureau surgeons, November 2, 1910, he was rated \$12 for neurasthenia and \$12 for disease of throat. The examining surgeons reported in part as follows:

Neurasthenia and disease of throat are permanent, not due to vicious habits, are equivalent to the loss of a hand or foot for purposes of manual labor, and entitle to \$24 per month.

Dr. J. W. Hutton, of Wichita, Kans., testifies in affidavit filed with this committee that claimant has general neurasthenia and disease of throat; that the condition in the throat is a partial paralysis of the vocal cords, a local show of the nerve disease in the system; that this is progressive; and that to this time soldier is only able to do light work about one-third of the time.

Claimant is nearly 40 years of age and very poor, being dependent upon his pension for the support of himself and family. The evidence of the surgeons seems unanimous in respect to his right to increase of pension, and the committee report the bill favorably for \$24 per month, as recommended by the bureau examining surgeons.

S. 4132. Roberson Ford, of Lowell, Ark., Rural Free Delivery 1, served in the Oregon and Washington Territory Indian War from October 15, 1855, to November 26, 1855, as a private in Capts. Kelly and Stafford's company of Oregon Volunteers. He is at present in receipt of a pension of \$8 per month under the Indian war service acts of July 27, 1892, and June 27, 1902. It appears, however, that he is upward of 77 years of age, and that he is nearly blind and otherwise afflicted, so that he is unable to perform any kind of labor, and is hardly able to get around. It also appears that he is poor, and without income other than his pension. Acting in his case as we have in similar cases, the committee recommend increase of pension to \$16 per month.

S. 4503. Allen Tyler, the claimant, was a private in the Sixteenth Battery, United States Field Artillery, and served a term of three years, covering the period from December 30, 1901, to December 29, 1904, when honorably discharged. It is shown by the records of the War Department that he was treated while in the service for croupous pneumonia, acute diarrhea, acute bronchitis, acute jaundice, and wounds of index and second fingers of left hand.

He filed and established a claim under the general law for injury of index and middle fingers of left hand, and was pensioned at \$6 therefor from August 14, 1905, and increased to \$10 from February 26, 1907, for same and disease of lungs, which rate he is still receiving. Applications for further increase were rejected December 22, 1908, May 5, 1910, and July 7, 1910. His last application for increase was rejected June 28, 1911, and claim for additional disabilities, curvature of spine and disease of heart, was rejected, the former on the ground that a ratable degree of disability therefrom was not shown to exist, and the latter on the ground of no record or other satisfactory evidence to prove that same was due to the military service.

When claimant was last medically examined, April 5, 1911, by a board of bureau surgeons he was rated \$4 for injury of fingers of left hand and \$8 for disease of heart and lungs, the latter being considered as one disability. Another board of surgeons, before whom claimant was examined June 1, 1910, rated him \$12 for injury to left index and middle fingers, and \$4 for disease of lungs. Medical and other evidence accompanying the bill is to the effect that claimant is suffering from chronic tuberculosis, enlargement of spleen, slight curvature of the spine, disease of heart, and crippled left hand, and that his general health is such that he is not able to do hard labor for the support of himself and family. He is 33 years of age, and very poor. It is believed that soldier's condition is such from disabilities of service origin that increase to \$16 per month is warranted.

S. 4538. Willoughby Churchill, of Soldiers' Home, Roseburg, Oreg., served in the Oregon and Washington Territory Indian War from February 27, 1856, to May 26, 1856, as a private in Company D (Capt. M. M. Williams), Second Regiment Oregon Mounted Volunteers. The pension which he draws at present is \$8 per month, provided by the Indian war acts of July 27, 1892, and June 27, 1902.

It appears, however, from evidence filed with this committee, that the claimant is past 80 years of age, and that he is suffering from heart trouble and senile debility to a degree that renders him practically helpless and wholly unable to do anything in the way of earning a living. It also appears that he is in destitute circumstances, being entirely dependent upon his small pension for his support. In such cases your committee usually grant substantial relief by doubling the pension, and increase to \$16 is therefore recommended.

S. 4612. John McCombs, of Roseburg, Oreg., served in the Oregon and Washington Territory Indian war from August 8, 1853, to September 10, 1853, as a private in Capt. John F. Miller's company of Oregon Mounted Volunteers. The pension he draws at present is \$8 per month under the Indian war service acts of July 27, 1892, and June 27, 1902. It appears, however, from evidence filed that he is past 87 years old and that he is feeble and infirm and broken down from old age, and is wholly disabled for any kind of labor. It also appears that he is destitute of property and has no means of support other than his pension. Acting in this case as we have in similar cases the committee recommend increase of pension to \$16 per month as proposed in the bill.

S. 4765. Anne Jones Banks is the widow of William Banks, who served as a private in Capt. William M. Allred's company, Nauvoo

Legion, Utah Volunteers, in the Utah Indian War. He was granted a pension by special act of Congress approved March 3, 1909, but died before any payment of pension could be made to him. The report of the Committee on Pensions of the House of Representatives, giving the facts in his case, was as follows:

William Banks, of Spanish Fork, Utah County, Utah, aged 73 years, is shown by the records of the War Department, transferred from the Bureau of Pensions under the provisions of the act of Congress approved April 28, 1904, to have been a member of Capt. William M. Allred's company, Nauvoo Legion, Utah Volunteers, 1853, whose service commenced October 6, 1853, and expired October 29, 1853, a period of 24 days. The organization was not mustered into the military service of the United States. The Government reimbursed the Territory of Utah for payment for the services of these volunteers, and such of them as served 30 days are pensionable by existing law.

In view of the fact that the claimant served but six days less than the required time to give pensionable status, and is shown by the evidence accompanying the bill to be physically unable to earn a livelihood at manual labor and under the care of a physician, and having no other means of existence than by his own exertion, your committee respectfully recommend that the requirement as to length of service be waived and that a pension of \$8 per month be allowed, there being many precedents for such legislation.

The claimant, who was married to the soldier November 16, 1897, is shown by the evidence on file to be 64 years of age and in indigent circumstances, and it is believed proper, therefore, to continue to her the pension of \$8 per month granted her soldier husband.

S. 4814. Emily Whitman, of Rice Lake, Wis., is the widow of Luther Whitman, who served in the War of 1812 from September 13, 1813, as a private in Capt. Orton's company, New York Militia.

Soldier died March 8, 1864, and claimant, who was married to him February 11, 1852, now draws a pension of \$12 per month provided by law for the widows of the soldiers of the War of 1812.

It appears, however, from evidence filed with this committee, that the claimant is in the ninetieth year of her age and that she is in such feeble condition that she is confined to her house, is unable to walk without assistance, and requires some one constantly to care for her. It further appears from the evidence that she is in destitute circumstances and has no means of support aside from her small pension. There are many precedents for legislation in cases of this character, and the committee recommend increase of pension to \$24 per month for her few remaining days.

S. 4875. Frank H. Lasher, the claimant, was a private in Company D, Twenty-seventh Regiment United States Volunteer Infantry. He served during the War with Spain from July 19, 1899, to April 1, 1901, and was honorably discharged. The records of the War Department show that during his service he was treated for malarial fever, intermittent, and for facial neuralgia, left side. At discharge he stated to the discharging officer that he was suffering from weak kidneys.

It is abundantly proved that soldier was sound at the time of his enlistment, and there is evidence to show that he has been in impaired health from malaria and kidney trouble since his return home from the Army. His application for a pension was rejected on the ground that he had not been disabled in a pensionable degree from malarial poisoning and disease of kidneys since date of filing claim, March 24, 1908.

We have, however, the evidence of two doctors and eight laymen to show that claimant has suffered from malaria and kidney trouble since his discharge and has been more or less disabled thereby and at times compelled to leave his work at frequent intervals. This evidence is worthy of weight in that it comes from doctors who have treated him and from citizens who have worked with him, and so have knowledge of his condition. Two comrades have testified to the service origin of soldier's disabilities.

Claimant is 32 years of age and very poor, with a wife and two children dependent upon him for support. It appears from the evidence that he is crippled by the loss of use of one leg from injury received in a railroad accident several years ago. From the evidence in the case the committee feel justified in recommending a pension of \$16 per month, which, it is believed, will cover the disability resulting from service causes.

S. 4914. George A. Wageck served in the War with Spain as a private in Company L, First Regiment Nebraska Volunteer Infantry; was enlisted April 27, 1898, and honorably discharged August 23, 1899. On April 23, 1899, at Quingua, Luzon, P. I., he was severely wounded in battle with the enemy, the ball entering the face under left eye, passing through the jaw, mouth, and neck and into the right shoulder. Upon application and proof he was duly granted pension at the bureau for gunshot wound of right shoulder, neck and lower jaw, mouth and left cheek at \$8 per month from date of filing claim, October 4, 1899. His rate was subsequently increased to \$10 from May 1, 1901, to \$12 from June 4, 1902, and to \$14 from June 20, 1906, this last being the pension he is now receiving. Claims for further increase were rejected June 2, 1908, and November 24, 1909.

His last claim for increase, filed June 16, 1911, was rejected September 22, 1911, and claim for additional disabilities, malarial poisoning and rheumatism, was rejected, the former on the ground of no sufficient evidence of continuance from date of discharge and the latter on the ground of no ratable degree of disability from date of filing claim.

The medical records on file in the War Department show that claimant was treated in the service for wound and for acute muscular rheumatism, back and hips, and malarial fever. There is also some evidence on file to the effect that claimant has suffered from rheumatism and malaria since his return home from service in the Philippine Islands.

Claimant was last examined at Newkirk, Okla., August 2, 1911, by a full board of surgeons, who rated him \$24 for wound, \$5 for malarial poisoning, and \$5 for heart disease. Medical evidence accompanying the bill is to the effect that claimant is totally disabled for performing manual labor by reason of wound, rheumatism, and chronic malarial poisoning. He is 35 years of age and poor.

It is believed that his condition is such from disabilities incurred in service that increase to \$24 is warranted.

The passage of the bill is recommended.

On page 4 strike out lines 9 to 12, inclusive.

This is the case of Anne Jones Banks, S. 4765. The soldier in this case performed but 24 days' service in an Indian war in Utah in 1853.

The general law requires 30 days' service to give an Indian war survivor a pensionable status. Congress has granted a few special acts to survivors who had service a few days short of 30 days, but none, so far as your committee are aware, to widows of soldiers whose service was of less than 30 days' duration. In this case the widow claimant was not married to the soldier for more than 44 years after his service, or until November 16, 1897. Your committee think this is not a case for favorable consideration; hence have stricken it from the bill.

O

62D CONGRESS, } HOUSE OF REPRESENTATIVES. }
2d Session.



PENSIONS AND INCREASE OF PENSIONS FOR CERTAIN SOLDIERS AND SAILORS OF THE CIVIL WAR, ETC.

MAY 1, 1912.—Committed to the Committee of the Whole House and ordered to
be printed.

Mr. HAMILTON of West Virginia, from the Committee on Invalid
Pensions, submitted the following

REPORT.

[To accompany H. R. 24016.]

This bill is a substitute for the following House bills referred to
said committee:

H. R. 182. Benjamin F. Shuttlesworth. 238. Job Trenholm. 274. Ephraim A. Adams. 443. Caleb A. Lott. 444. Stephen Vaught. 1022. Moses R. Myers. 2186. Christopher C. Kelly. 2521. Seraphim T. Thery. 2677. Oliver E. Tillotson. 2679. David R. Shockey. 2780. James W. Mullins. 2781. Florence Meader. 4354. James Coffman. 4899. William T. Bowden. 5786. Richard M. Springer. 6142. Oliver P. Black. 6517. Samuel Fuls. 6945. David W. Dalrymple. 7473. Seborn J. Mullins. 8049. Eliza Crall. 8116. William B. Whitney. 8194. Alexander Hastings. 8375. Richard J. Burges. 8848. William H. Ingraham. 9266. Maurice Hennessy. 9778. Edward Anthony. 10307. Joshua M. Moore. 10385. George W. Flack. 10600. John G. Price.	H. R. 10577. Levi J. Sliver. 10610. Jacob Lutz. 10741. Elliott A. Clarke. 10946. Michael Shiverdecker. 11050. William H. Clark. 11232. Godfrey Ferber. 11335. Samuel R. Holder. 11436. Ruth A. Richardson. 11886. George A. Carpenter. 12489. John Small. 12674. William McGowin. 12746. Theodore Klefer. 12844. Lester J. Dack. 13160. Rebecca M. Clark. 13166. Samuel P. Parker. 13623. Noah Dujardin. 13632. William Denham. 14298. David C. Marshall. 14735. Andrew Row. 15056. Joseph W. Long. 15088. William M. Lamere. 15160. David Dryburgh. 15174. Sarah B. Scott. 15308. Thomas N. Smith. 15605. Olga H. Updegraff. 15753. John T. Stansbury. 15795. John G. Sprague. 15806. William V. Doan. 15819. Charles M. Pond. 15850. Thomas B. Galbraith.
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H. R. 15869. Atlas P. Hammond.
 15870. William Strang, alias John W. Strang.
 15885. Hugh Valentine.
 16109. Charles Janz, alias Charles Johnson.
 16230. Isaac M. Krise.
 16245. Ivan E. Dye.
 16250. James Kubicek.
 16470. Sarah A. Lane.
 16544. Otho W. Thompson.
 16607. Thomas Knowles.
 16640. Adam E. Shannon.
 16708. Annie Oleson.
 16709. William Henry Jaques.
 16752. Joseph H. George.
 16784. Joseph Cooper.
 16967. Asa C. Ottarson.
 17081. Joseph Faloon.
 17269. Thomas Roberts.
 17275. Francis J. Donnelly.
 17294. Jonathan Bondy.
 17467. Lucretia Tauner.
 17514. John Irwin.
 17519. Dora Emmons.
 17538. Minnie Points.
 17563. John F. Trulock.
 17603. John W. Sutton.
 17633. Abbie J. Genthner.
 17712. James C. Nies.
 17806. Oliver H. P. Bailey.
 17886. Mary E. Tucker.
 17891. Thomas Butler.
 17968. William J. Gorline.
 18052. Anson B. Carney.
 18289. Mary W. Smith.
 18353. Henry Huffine.
 18509. Thomas Hart.
 18522. Alexis M. Huff.
 18694. Moses G. Lewis.
 18799. John P. Hearn.
 18987. William Kreighbaum.
 19020. George Crider.
 19396. Frederick W. Houghton.
 19443. James Baccus.
 19447. Milton Z. Sims.
 19449. Theron E. Foster.
 19506. Alice Carleton.
 19584. William H. Zimmerman.
 19585. Henry L. Pitcher.
 19628. Samuel Wells.
 19696. Chesley Goldsby.
 19943. Henry W. Eno.
 20022. John M. Potts.
 20038. John Howard.
 20068. Anna Smith.
 20244. Andrew G. Friends.
 20848. William F. McLean.
 20853. Thomas Tighe, alias Thomas Tobin.
 20882. Wilt Rippey.
 20914. William H. Whitson.
 20915. Mary Mullen.
 20958. Charles Lakin.
 21009. Robert Crow.
 21015. Alexander Chisholm.
 21022. Ernest Buse.

H. R. 21035. Lucy Roser.
 21163. Jeremiah Creamer.
 21170. Simon Schweigert.
 21265. Washington W. Edgington.
 21459. John W. Towner.
 21462. William J. Hammond.
 21467. George B. Griffin.
 21468. John P. Schoeni.
 21513. Joseph Hampton.
 21566. Michael Kennedy.
 21568. James Melkle.
 21584. Ezra Salter.
 21607. Barney L. Starin.
 21686. Othello A. Sherman.
 21780. Susan E. Bruman.
 21810. Merida Wilson.
 21833. William E. McKee.
 21865. Simpson Robinson.
 21879. Albert S. Tracy.
 21944. Clinton Black.
 21973. John Quinn.
 21982. Franklin B. Detwiler.
 21985. James R. Hewlett.
 21994. Francis M. Ryder.
 22003. Clara W. Morgan.
 22034. Joseph R. Patton.
 22077. Howard Forster.
 22093. Adelaide E. Ruton.
 22116. William H. Estep.
 22162. Eugene Partridge.
 22212. Mary E. Snider.
 22231. Franklin Peters.
 22269. Mary Evans.
 22270. Caroline L. Loftus.
 22277. Chester F. Cole.
 22280. Joseph F. Dixon.
 22325. Thomas Blackburn.
 22386. John A. Lee.
 22408. John S. Gormley.
 22420. Enoch Jones.
 22461. James McClary.
 22496. George E. Knowlton.
 22552. Myron L. Spear.
 22560. George E. Hatfield.
 22698. Joseph Grady.
 22706. Lucy A. Pratt.
 22754. James Lovens.
 22788. Mary McCaskey.
 22790. Ezra Craft.
 22834. Joseph Tlamsa.
 22838. Lee Manlove.
 22891. Winifred W. Strippy.
 22916. Melvin Howe.
 22967. Charles W. King.
 22968. Felix Warren.
 22969. Abraham W. Spradling.
 23053. Thomas Scott.
 23075. Hiram D. Beckett.
 23091. John Kelly.
 23097. William Sowards.
 23210. William T. Lambdin.
 23212. Henry C. Sowards.
 23221. Charles Callison.
 23223. Mary Newell.
 23224. Richard McCarron.
 23272. William S. De Hart.
 23274. Charles M. Wyvell.

H. R. 23307. Theresa A. Kurtz.
 23388. Augustine Babcock.
 23389. Sarah Wolford.
 23401. Isaac Williams.
 23405. Charles M. Hart.
 23423. Andrew J. Adamson.

H. R. 23445. John M. Rhoads.
 23475. Parkerson Perrego.
 23498. Patrick Carey.
 23530. John Hanrey.
 23564. John F. Dumont.
 23704. George F. Rebman.

The following are the facts ascertained by the committee concerning the case of each beneficiary in said bills and the conclusions of the committee as to the proper amount of pension or increases which should be granted:

H. R. 182. Benjamin F. Shuttlesworth, aged 68 years, served as a private in Company B, Fourth Regiment West Virginia Volunteer Cavalry, from July 14, 1863, to March 7, 1864, and in Company 1, Seventeenth Regiment West Virginia Volunteer Infantry, from February 10, 1865, to June 30, 1865 (1 year and 13 days), and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of chronic diarrhea, piles, and injuries to arms, hands, and eyes.

Address, Austin, W. Va.

Board of surgeons, October 5, 1910, found asthma, chronic diarrhea, and piles.

Medical testimony is that applicant, due to asthma and internal hemorrhoids, is unable to do manual labor.

Other testimony is that applicant has no real estate, and that his personal property is worth not over \$50, and that his income, aside from his pension, is about \$100 per year.

An increase to \$30 per month is recommended.

H. R. 238. Job Trenholm, about 75 years of age, served as sergeant in Company L, Eighth Illinois Cavalry, from September 16, 1861, to November 7, 1861, when he was discharged on a surgeon's certificate of disability by reason of a hernia.

He is now a pensioner under the general law at \$10 per month on account of this hernia.

His claim on account of an injury of the stomach was properly rejected in July, 1893, upon the ground of the claimant's inability to prove the incurrence of such injury in service and line of duty.

He was last examined in December, 1893, by the Watertown (S. Dak.) board of surgeons and was then found to be afflicted with a hernia, the tumor being the size of a walnut, and a fracture of the lower end of the sternum in the tenth and eleventh ribs, the lower end of the sternum pressing right down on the stomach and evidently interfering with the functions of the stomach.

Claimant is a resident of Henry, S. Dak.

It is shown by the testimony of Dr. Smith, of Henry, S. Dak., and by that of the claimant's neighbors that by reason of his advanced age, the hernia, and a crushing injury of the lower chest, producing a marked deformity with a deep depression about the size of 3 inches across and a marked bulge in the ribs, claimant is totally incapacitated for the performance of any labor, and that he has no property, except a small home owned by his wife, and no means of support aside from his pension.

An increase to \$30 is allowed.

H. R. 274. Ephraim A. Adams, aged 71 years, served as a private in Company D, Twelfth Regiment Ohio Volunteer Infantry, and in

Company H, Twenty-third Regiment Ohio Volunteer Infantry, from June 15, 1861, to July 26, 1865 (4 years 1 month and 11 days), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of rheumatism, disease of heart, gunshot wound of both legs, and senile debility.

Address, Soldiers' Home, Lafayette, Ind.

Board of surgeons, April 26, 1905, found rheumatism, gunshot wound of both legs, and disease of heart.

Medical testimony is that applicant suffers from results of gunshot wound of left leg and paralysis; is unable to do manual labor.

Other testimony is that applicant has no means of support but his pension.

An increase to \$30 per month is recommended.

H. R. 443. Caleb A. Lott, aged 73 years, served as a private in Company B, Eleventh Regiment West Virginia Infantry, from December 15, 1861, to December 15, 1864 (8 years), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

Formerly pensioned under act of June 27, 1890, at \$12 for partial loss of right index finger, double varicocele, and disease of heart, which were shown by medical examination of February 13, 1891.

Address, Elizabeth, W. Va.

Dr. P. W. McClung, February 20, 1912, asserts that pensioner is incapacitated from earning his support by reason of disease of heart and injury to left hand. Further, that he owns no property of any kind and no income but his pension. His little home and household goods are owned by his wife. Neighbors corroborate this statement.

An increase of \$30 is recommended.

H. R. 444. Stephen Vaught, aged 68 years, served as a corporal in Company D, Seventeenth Regiment West Virginia Volunteer Infantry, from August 30, 1864, to June 30, 1865 (10 months), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$8 per month by reason of asthma, disease of heart, and senile debility.

Address, R. F. D. 3, Elizabeth, W. Va.

Board of surgeons, June 21, 1905, found asthma and results, weak heart, lumbago, and catarrh.

Medical testimony is that applicant has asthma, rheumatism, disease of chest and of eyes, and is unable to do manual labor.

Other testimony is that applicant has a house and lot and some household goods, worth about \$550; has no income but his pension.

An increase to \$24 a month is recommended.

H. R. 1022. Moses R. Myers, aged 67 years, served as a corporal in Company F, Thirteenth Regiment Tennessee Volunteer Cavalry, from September 21, 1863, to September 5, 1865 (2 years, less 16 days), and is now a pensioner under the act of July 14, 1862, at \$17 per month on account of chronic diarrhea and resulting disease of stomach and rectum.

Address, White Pine, Tenn.

Board of surgeons, November 18, 1908, found pensioned cause.

Medical testimony is that applicant, by reason of his physical disabilities, is unable to do manual labor.

Other testimony is that applicant has a house and lot valued at about \$200 and no other property and no income but his pension.

An increase to \$36 a month is recommended.

H. R. 2186. Christopher C. Kelly, aged 66 years, served as a private in Company C, Eighty-fifth Regiment Ohio Volunteer Infantry, and in Company I, Eighty-seventh Regiment Ohio Volunteer Infantry, from June 6, 1862, to October 3, 1862 (3 months and 27 days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

Address, 63½ West Second South Street, Salt Lake City, Utah.

No report from a board of surgeons.

Medical testimony is that applicant has mitral insufficiency and very serious chronic inflammation of the stomach; is unable to do manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$20 a month is allowable.

H. R. 2521. Seraphim T. Thery, aged 76 years, served as a corporal in Company B, Ninety-fourth Regiment Illinois Infantry, from August 5, 1862, to May 22, 1865 (2 years and 10 months), and is now a pensioner under the act of February 6, 1907, at \$20 per month on account of age.

Was formerly pensioned under the act of June 27, 1890, at \$12 for disease of rectum, urinary organs, and heart, and loss of sight of left eye.

Address, Heyworth, Ill.

The pensioned disabilities were shown by medical examination of November 20, 1900.

Dr. Frank Turner testifies that he has been soldier's physician for 17 years, during which time he has been afflicted with paralysis agitans of right side, which incapacitates him for manual labor.

Pensioner and two witnesses state he has no property, real or personal; nothing but his pension to support him and his aged wife.

The Member introducing the bill says soldier is a confirmed invalid, having shaking palsy for many years.

Helpless, destitute, aged, and of a long service, a rate of \$30 a month is justified.

H. R. 2677. Oliver E. Tillotson, aged 66 years, served as a private in Company H, Second Regiment Wisconsin Volunteer Infantry, from May 30 to November 18, 1861, and in Company A, Nineteenth Regiment Wisconsin Volunteer Infantry, and in Company C, Ninth Regiment Veteran Reserve Corps, from February 24, 1862, to July 24, 1865 (3 years 10 months and 18 days), and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of disease of spine and gunshot wound of left arm.

Address, 519 Humboldt Avenue North, Minneapolis, Minn.

Board of surgeons, March 11, 1891, found pensioned causes.

Medical testimony is that applicant has a general degeneration of system, especially of spinal cord; he also has rheumatism of long standing and is unable to do manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$30 a month is recommended.

H. R. 2679. David R. Shockey, aged 67 years, served as a fifer and sergeant in Company G, Twenty-second Regiment Iowa Volunteer Infantry, from August 9, 1862, to July 25, 1865 (2 years 11 months and 16 days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$10 per month by reason of gunshot wound of right arm, rheumatism, and senile debility.

Was formerly pensioned under the act of July 14, 1862, at \$6 per month for gunshot wound of right shoulder.

Address, 1314 Fourth Avenue South, Minneapolis, Minn.

Board of surgeons, June 21, 1905, found gunshot wound of right arm and rheumatism of right shoulder, slight deafness of right ear and very slight of left ear, enlarged prostate gland, defective sight, and beginning disease of spinal cord.

Medical testimony is that applicant has rheumatism, kidney and bladder trouble; is very nervous and shows loss of strength and activity; is unable to do manual labor.

Other testimony is that applicant has no property of any kind. He has a pension of \$12 a month.

An increase to \$36 a month is recommended.

H. R. 2780. James W. Mullins, aged 74 years, served as a private in Company K, Twenty-fourth Regiment Kentucky Volunteer Infantry, from September 29, 1861, to January 31, 1865 (3 years 4 months and 2 days), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of partial loss of left index finger, rheumatism, and senile debility.

Address, Butler, Ky.

Board of surgeons, August 1, 1906, found rheumatism and rheumatoid arthritis, loss of tip of left index finger, weak heart, dyspnea and vertigo, hydrocele, enlarged prostate, poor teeth, indigestion, pharyngitis, defective vision, and senility.

Medical testimony is that applicant, by reason of old age and weakness, is unable to do manual labor.

- Other testimony is that applicant has no property and no income but his pension.

An increase to \$30 a month is recommended.

H. R. 2781. Florence Meader, aged 63 years, is the widow of Ogden Meader, who served as a private in Company A, One hundred and thirty-seventh Regiment Ohio National Guard Infantry, from April 17, 1861, to January 3, 1863, and from May 2, 1864, to August 19, 1864 (2 years).

Soldier was pensioned at \$10 under the act of June 27, 1890. He died October 4, 1906. He and applicant were married May 1, 1866. She is now a pensioner under the act of June 27, 1890, at \$12.

Dr. James Reynolds says applicant is affected with arteriosclerosis and heart trouble and is unable to perform manual labor.

Applicant and two affiants say she is in necessitous circumstances and not able to do hard labor.

Her address is Covington, Ky.

Pensioner and two neighbors testify that she has no property—real, personal, or mixed—and no source of income other than her pension.

An increase to \$20 is recommended.

H. R. 4354. James Coffman, aged 65 years, served as a private in Company E, First Regiment Minnesota Volunteer Heavy Artillery, from January 21, 1865, to September 27, 1865 (8 months and 6 days), and is now a pensioner under the act of July 14, 1862, at \$17 per month on account of loss of sight of right eye and rheumatism.

Address, R. F. D. 15, Langdon, Minn.

Board of surgeons, August 5, 1908, found loss of sight of right eye, rheumatism, and disease of kidneys.

Medical testimony is that applicant has rheumatism and other ailments, is blind in one eye, and the sight of the other is impaired; is unable to do manual labor.

Other testimony is that applicant has no means of support but his pension.

An increase to \$30 per month is recommended. Short service.

H. R. 4899. William T. Bowden, aged 69 years, served as a private in Company C, Tenth Regiment Rhode Island Volunteer Infantry, from May 26, 1862, to July 8, 1862 (6 weeks).

Claimant's address is 51 Woodward Avenue, Providence, R. I.

He has never been pensioned, the Pension Bureau having rejected the claim filed under the general law on the ground that alleged epilepsy was not shown to be due to military service.

The testimony filed in support of this claim shows that soldier had not suffered with epilepsy prior to entering the Army; that about three weeks after enlistment he had an epileptic seizure; that there were other seizures during his brief service. He was mustered out of service July 8, 1862, on surgeon's certificate of disability. The War Department report shows discharge on such certificate, but a copy of the certificate is not on file.

The medical and lay testimony filed shows conclusively that soldier's physical and financial condition is such as to render him incapable of maintaining himself at this time.

The nature of the disability is such as to render it next to impossible to establish a cause for it. Therefore it is certain that the cause of epilepsy in this case can not be shown by medical or legal testimony. For these reasons it may be said there is a doubt as to the merits of the claim, but whatever doubt may exist, it is of such a character that justice and a spirit of liberality toward an unfortunate soldier suggests its elimination in this case. That soldier first had epilepsy in service is shown; to say that it was not due to service is only based on some theory.

A rating of \$24 per month is recommended.

H. R. 5786. Richard M. Springer, aged 69 years, served as a sergeant in Company K, Twentieth Regiment Illinois Volunteer Infantry, from June 13, 1861, to July 31, 1865 (4 years 1 month and 18 days), and is now a pensioner under the act of July 14, 1862, at \$17 per month on account of gunshot wound of right arm.

Address, Chicago, Ill.

Board of surgeons, May 17, 1905, found pensioned cause.

Medical testimony is that applicant has an impaired condition of right arm and hand, due to atrophy; can hear nothing in left ear, and the hearing of right ear is greatly impaired; is unable to do manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$36 per month is recommended.

H. R. 6142. Oliver P. Black, aged 68 years, served as a private in Company B, Eightieth Regiment Ohio Volunteer Infantry, from September 15, 1862 to May 29, 1865 (2 years 8 months and 14 days), and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of bronchitis, nasopharyngeal catarrh, rheumatism, and disease of rectum.

Address, New Philadelphia, Ohio.

Board of surgeons, January 7, 1891, found pensioned causes.

Medical testimony is that applicant has chronic bronchitis, emphysema, asthma, piles, chronic articular rheumatism, and advanced arteriosclerosis; is unable to do manual labor.

Other testimony is that applicant has a home worth about \$320 and no other property; his income is his pension.

An increase to \$30 a month is recommended.

H. R. 6517. Samuel Fulks, aged 66 years, served as a private in Company D, Thirty-fifth Regiment Wisconsin Volunteer Infantry, from October 18, 1863, to March 15, 1866 (2 years 4 months and 27 days), and is now a pensioner under the act of July 14, 1862, at \$24 per month on account of rheumatism and resulting disease of heart, ax wound of left foot, and chronic diarrhea and resulting disease of rectum.

Address, Rapid City, S. Dak.

Board of surgeons, July 5, 1899, found rheumatism and resulting disease of the heart, ax wound of the left foot, diarrhea and resulting disease of the rectum, and gunshot wound of the left leg.

Medical testimony is that applicant, by reason of general debility, bad heart and stomach, and rheumatism, is unable to do manual labor.

It is shown by sworn statements of the county treasurer and register of deeds that the applicant has no real or personal property assessed to him.

An increase to \$36 a month is recommended.

H. R. 6945. David W. Dalrymple, aged 75 years, served as a sergeant in Company H, Sixteenth Regiment Wisconsin Volunteer Infantry, from September 20, 1861, to September 3, 1862 (1 year less 17 days), and is now a pensioner under the act of February 6, 1907, at \$20 per month on account of age.

He was formerly pensioned under the act of July 14, 1862, at \$17 per month by reason of gunshot wound of left shoulder joint and resulting partial ankylosis of same, causing weakness and pain of joint.

Address, Easton Boulevard and Thirty-third Street, Des Moines, Iowa.

Board of surgeons, May 16, 1900, found pensioned cause and muscular degeneration and rheumatism.

Medical testimony is that applicant has chronic bronchitis, asthma and emphysema, chronic myocarditis, and hypertrophy of the prostate gland. Recently he suffered an almost fatal hemorrhage of the stomach. Is unable to do manual labor.

Aside from some household goods, applicant has no property, and no income but his pension.

An increase to \$36 a month is recommended.

H. R. 7473. Seborn J. Mullins, about 80 years of age, served as a private in Company B, First Georgia Volunteers, from January 31, 1865, to July 19, 1865.

Was pensioned under the act of June 27, 1890, at \$12 per month on account of disease of the heart.

His general-law claim was rejected in 1887, after a special examination, on the ground that claimant's disability was contracted prior to his enlistment in the Army.

Address, Huntland, Tenn.

He was last examined in September, 1900, and was then suffering from a hernia, disease of the heart, and senile debility.

The Member introducing the bill states that the applicant, by reason of his extreme age and grievous disabilities, is totally incapable of doing any labor, and for the greater part of the time is confined to his bed.

The Member further states that the applicant is destitute, with no source of support but his pension.

It is recommended that he be placed on the pension roll at \$17 per month.

H. R. 8049. Eliza Crall, aged 85 years, is the widow of William Crall, who served as a private in Company F, Sixteenth Regiment Iowa Volunteers, from October 6, 1864, to July 19, 1865, and who died August 23, 1872, of exhaustion, due to chronic diarrhea contracted during his service.

Claimant, who married the soldier on July 9, 1855, has been a pensioner under the general law ever since her husband's death.

She is a resident of Ottumwa, Iowa, and is shown by medical and lay testimony, filed with your committee, to be now so weak and feeble as to require the constant attendance of another person, as she can not be left alone in safety; to have no means of support save her pension, and to be dependent on her children.

On account of her extreme age, helplessness, and destitution, and following precedents in like cases, an increase of her pension to \$20 per month is recommended.

H. R. 8116. William B. Whitney, aged 74 years, served as a private in Company G, First Regiment New York Volunteer Light Artillery, from September 10, 1861, to September 23, 1864 (3 years and 13 days), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of wound of face, disease of heart, and rectum.

Was formerly pensioned under the act of July 14, 1862, at \$4 per month for shell wound of right side of face.

Address, Millwood, Minn.

Board of surgeons, November 4, 1891, found shell wound of face, piles, and disease of heart.

Medical testimony is that applicant has aural vertigo, has chronic nephritis, and arteriosclerosis. It is further stated that the applicant is in a most pitiable condition. Is unable to do manual labor.

Other testimony is that applicant has no property, living in a rented place.

An increase to \$30 a month is recommended.

H. R. 8194. Alexander Hastings, aged 76 years, served as a private in Company H, Sixth Regiment Massachusetts Volunteers, from August 31, 1862, to June 3, 1863, and is now a pensioner under the act of February 6, 1907, at \$20 per month.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of age.

He was last examined in May, 1901, by the Lowell (Mass.) board of surgeons, and was found to be suffering from sciatica and a fracture of the right thumb and left thumb and forefinger. The surgeons then stated that he walked lame, swinging left leg on hip, and was not able to dress himself on account of inability to stoop.

Dr. W. Sawyer, of Lowell, Mass., states, under oath, that the claimant suffers much from chronic rheumatism, which has deformed his left hip, and also from valvular disease of the heart: that on account of a fall, due to the deformity of the hip, on December 27, 1909, he was confined to his bed almost helpless for about six weeks; that he is now unable to dress or remove his clothes without assistance, and will never be able to dress without the aid of another person.

He has no means of support aside from his pension, except what little he can earn by doing light work.

In the opinion of your committee the facts warrant an increase of the soldier's pension to \$30 per month.

H. R. 8375. Richard J. Burges, aged 66 years, served as a second lieutenant in Company A, First Regiment Rhode Island Volunteer Cavalry, from December 14, 1861, to October 15, 1864 (2 years 10 months and 1 day), and is now a pensioner under the act of July 14, 1862, at \$17 per month on account of disease of heart.

Address, 70 Pearl Street, Providence, R. I.

Board of surgeons, December 7, 1911, found disease of heart and arteries, and rated at \$24 per month.

Medical testimony is that applicant has valvular disease of heart of long standing; heart is also in a dilated condition; arteriosclerosis with some angina pectoris. There is chronic liver trouble, chronic rheumatic trouble; also chronic and incurable disease of the kidneys. There is growing dimness of vision and various other minor troubles. He is unable to perform manual labor.

Other testimony is that applicant has no real or personal property. He has an income of \$100 per year and his pension of \$17 per month.

An increase to \$36 a month is recommended.

H. R. 8848. William H. Ingraham, aged 81 years, served as a private in Company B, Nineteenth Regiment Connecticut Volunteer Infantry, from August 15, 1862, to February 6, 1863 (5 months and 20 days), and is now a pensioner under the act of February 6, 1907, at \$20 per month.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of double inguinal hernia, rheumatism, injury to left foot, and senile debility.

The soldier's address is Sharon, Conn.

Medical and lay testimony shows that soldier is now paralyzed and helpless, requiring almost constant attendance; that he is destitute, having no income other than pension. Lay testimony is substantially as the medical.

The claimant's extreme poverty, his advanced age, and his deplorable physical condition warrants an increase of pension, and a rating of \$24 per month is recommended.

H. R. 9266. Maurice Hennessy, aged 67 years, served as a corporal in Company D, One hundred and eighty-fifth Regiment New York Volunteer Infantry, from September 3, 1864, to May 30, 1865 (8 months and 27 days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$8 per month by reason of rheumatism and disease of lungs.

Address, R. F. D., Baldwinsville, N. Y.

Board of surgeons, March 1, 1905, found catarrhal bronchitis, rheumatism, disease of urinary organs, rupture of testicle, and injured feet.

Medical testimony is that applicant has complete paralysis of both legs and complete paralysis of the left arm and his right arm is partially paralyzed; is in a condition where he must be waited upon.

Other testimony is that applicant is dependent upon his pension for a support.

An increase to \$24 a month is recommended; short service.

H. R. 9778. Edward Anthony, aged 68 years, served as a private in Company D, Eighty-fourth Regiment New York Volunteer Infantry, from May 18, 1861, to June 6, 1864 (3 years and 18 days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$8 per month by reason of rheumatism, disease of heart, dyspepsia, and varicose veins of right leg.

Address, 190 Prince Street, Brooklyn, N. Y.

Board of surgeons, September 1, 1904, found varicose veins, rheumatism, and general debility.

Medical testimony is that applicant has impaired hearing, enlarged prostate gland; has constipation and piles; has chronic arthritis, chronic rheumatism, and varicose veins of right leg; is unable to do manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$30 a month is recommended.

H. R. 10307. Joshua M. Moore, aged 65 years, served as a private in Company A, One hundred and fortieth Regiment Indiana Volunteer Infantry, from October 3, 1864, to May 26, 1865 (7 months and 23 days), and is now a pensioner under the act of July 14, 1862, at \$17 per month for chronic bronchitis.

He was formerly pensioned under the act of June 27, 1890, at \$8 per month by reason of rheumatism and disease of lungs.

Address, 2810 Burton Avenue, Indianapolis, Ind.

Board of surgeons, July 28, 1909, found a rating of \$24 per month. Medical testimony is that applicant, by reason of bronchitis, is unable to do manual labor.

Other testimony is that the applicant has household goods worth \$50, and no other property. His income is his pension.

An increase to \$24 a month is recommended. Short service.

H. R. 10385. George W. Flack, aged 68 years, served as a corporal in Company D, Sixtieth Regiment New York Infantry, from October 2, 1861, to October 29, 1864 (3 years), and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of rheumatism and deafness of right ear, as shown by medical examination of October 9, 1895; no other disability.

Address, Edwards, N. Y.

Dr. F. W. Delmage has treated soldier during the past 12 years for rheumatism, dyspepsia, and constipation; he also is deaf in right ear, has had left arm amputated 7 inches from shoulder joint, and arteriosclerosis.

He and two neighbors testify that his property consists of a contract interest in a farm for \$2,500, but is not good for that amount. has no other property, and is unable to do manual labor, but when able to travel sells goods on the road.

An increase to \$30 is recommended.

H. R. 10560. John G. Price, aged 90 years, served as a private in Company A, One hundred and fifty-second Regiment Ohio National Guard Infantry, from May 2 to September 2, 1864 (4 months). and is now a pensioner under the act of February 6, 1907, at \$20 per month, on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of senile debility, varicose veins of right leg, and rheumatism.

Address, West Sonora, Ohio.

Board of surgeons, October 5, 1892, found rheumatism and varicose veins.

Dr. E. J. Ziegler, March 21, 1892, testified that pensioner is totally blind and needs constant attendance, and is entirely dependent upon others.

Pensioner and two others testify that he is the owner of 1.29 acres of land of the value of \$1,000, which rents for \$5 a month; also has \$500 in cash, and has no other income than his pension.

His great age and blindness entitle him to an increase to \$24; his short service forbids a greater rate.

H. R. 10577. Levi J. Sliver, aged 82 years, served as a private in Company E, Thirty-fifth Regiment Ohio Volunteer Infantry, from September 7, 1861, to September 8, 1864 (3 years and 1 day), and is now a pensioner under the act of July 14, 1862, at \$24 per month on account of gunshot wound of left leg and resulting ulcer and varicose veins.

Address, Eaton, Ohio.

Board of surgeons, April 14, 1909, found varicose veins of left leg, resulting from gunshot wound, and disease of heart, and rated at \$30 per month.

Dr. C. W. Conley testifies that pensioner has frequent attacks of asthma and heart weakness, and suffers from his injured leg, and is unable to do manual labor.

Neighbors say he has no real estate and little personal property; no income or means of support other than his pension.

An increase to \$40 a month is justified by his advanced age, long service, and helplessness.

H. R. 10610. Jacob Lutz, aged 68 years, served as a private in Company F, Sixty-sixth Regiment Ohio Volunteer Infantry, from September 21, 1863, to November 11, 1864 (1 year 1 month and 20 days), and is now a pensioner under the act of July 14, 1862, at \$17 per month, on account of injury of left hip and resulting disease of left leg.

Address, 1703 High Street, Des Moines, Iowa.

Board of surgeons, July 21, 1909, found pensioned causes, and rated at \$24 per month; also found left inguinal hernia, indirect.

Medical testimony is that applicant has large left inguinal hernia, nonreducible, and varicose veins; has one varicose ulcer on the inside of the right ankle; the left leg is atrophied; also has chronic bronchitis; and is unable to do manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$36 a month is recommended.

H. R. 10741. Elliott A. Clarke, aged 77 years, served as a first sergeant in Company A, One hundred and sixth Regiment New York Volunteer Infantry, from August 9, 1862, to June 22, 1865 (2 years 10 months and 13 days), and is now a pensioner under the act of February 6, 1907, at \$20 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of rheumatism and resulting disease of heart.

Address, Hermon, N. Y.

Board of surgeons, October 28, 1891, found pensioned causes.

Medical testimony is that applicant, in December, 1910, fell and broke his left leg at the hip socket, and is to all intents and purposes bedridden, requiring the constant care of some member of the family.

Other testimony is that the applicant's property is a home, worth about \$600, and his only income is his pension.

An increase to \$30 a month is recommended.

H. R. 10946. Michael Shiverdecker, aged 72 years, served as a private in Company E, Seventy-first Regiment Ohio Volunteer Infantry, from October 7, 1861, to November 30, 1865 (4 years 1 month and 23 days), and is now a pensioner under the act of July 14, 1862, at \$17 per month for gunshot wound of right hand and lumbago.

He was formerly pensioned under the act of June 27, 1890, at \$8 per month by reason of gunshot wound of right hand, lumbago, and rheumatism and resulting disease of heart.

Address, Pymont, Ohio.

Board of surgeons, May 6, 1908, found pensioned causes and rated at \$24 per month.

Dr. W. C. Tobeym, March 29, 1912, finds ankylosis of fingers, rheumatic deposits in joints, incontinence of urine, and is totally disabled for manual labor.

Pensioner and two neighbors say he has no income but his pension. The physician also testifies that soldier has no property and never has had.

A good age, a very long service, helplessness and destitution, with a record of wounds received in action, warrant a rating of \$36.

H. R. 11050. William H. Clark, aged 68 years, served as a corporal and sergeant in Battery B, First Regiment Illinois Volunteer Light Artillery, from January 20, 1864, to July 6, 1865 (1 year 5 months and 16 days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$6 per month by reason of rheumatism and resulting disease of heart and piles.

Address, Laporte, Ind.

Board of surgeons, July 1, 1896, found piles, stomach trouble, and rheumatism, and disease of heart.

Medical testimony is that applicant has chronic myocarditis, with general arteriosclerosis; has enlargement of the prostate gland, and cystitis. It appears that he is unable to do manual labor.

Other testimony is that applicant has no property nor source of income other than his pension and \$17 a month as janitor in a church.

An increase to \$30 is allowed.

H. R. 11232. Godfrey Ferber, aged 67 years, served as a private in Company C, Fourth Regiment Missouri Volunteer Infantry, from October 21, 1861, to February 1, 1863, and in Battery C, Second Regiment Missouri Volunteer Light Artillery, from April 25, 1863, to July 4, 1865 (total service 3 years 5 months and 19 days), and is now pensioned under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$8 per month by reason of complete right inguinal hernia and disease of heart.

Address, 3515 Scott Avenue, St. Louis, Mo.

Board of surgeons, August 22, 1906, found sciatica, disease of heart, and hernia.

Medical testimony is that applicant has nervous dyspepsia and general breakdown, dislocation of right elbow, and deafness of the left ear; has organic valvular affection of heart; is unable to do manual labor.

Other testimony is that applicant has neither real nor personal property.

An increase to \$30 per month is recommended.

H. R. 11335. Samuel R. Holder, aged 76 years, served as a private in Company C, Twenty-fifth Regiment Indiana Infantry, from July 9, 1861, to August 18, 1864 (three years and one month), and is now a pensioner under the act of February 6, 1907, at \$20 per month on account of age.

Was formerly pensioned at \$12, under act of June 27, 1890, for rheumatism, indigestion, disease of heart, right inguinal hernia, and senile debility.

Medical certificate, September 3, 1902, locates pensioned disabilities.

Dr. William Hecker, attending physician, testifies that pensioner has had two paralytic strokes and his present physical condition is very poor.

Address, Watseka, Ill.

Two neighbors, M. K. Peters and Alman Andrew, state that soldier is very feeble, almost totally blind, is very poor, without resources of any kind other than his pension, living in a little shack, he and his wife often having their wants supplied by the neighbors and the Grand Army of the Republic, and they have been a burden to the community for several years.

An increase to \$30 is justified.

H. R. 11436. Ruth A. Richardson, 77 years of age, is the widow of John W. Richardson, who served as a private in Company C, Fortieth Iowa Volunteers, from August 18, 1862, to August 2, 1865, and who died May 4, 1905, while a pensioner under the general law at \$12 per month on account of disease of eyes.

Claimant, who married the soldier on October 21, 1852, was pensioned under the amended act of June 27, 1890, at \$8 per month from May 10, 1905, and is now drawing the rate of \$12 per month by virtue of the first section of the act of April 19, 1908.

She resides at Beacon, Iowa, and is shown by the testimony of Dr. Rhodes and that of her neighbors to be helpless by reason of almost total paralysis of the right side and to require the aid of another person much of the time, and to have no means of support save her pension.

On account of her extreme age, helplessness, and utter destitution an increase of her pension to \$20 per month is recommended.

H. R. 11886. George A. Carpenter, aged 66 years, served as a deck hand on the U. S. gunboat *Diana*, Mississippi River Fleet, from February 18, 1863, to October 31, 1863, and is now a pensioner under the general law at \$10 per month on account of malarial poisoning, chronic diarrhea, and resulting disease of rectum. This rating was allowed from September 19, 1906, the date of the certificate of his last medical examination, made by the Muncie (Ind.) board of surgeons, which rated him \$6 for malaria and \$4 for disease of rectum and also found him afflicted with slight atrophy of the lumbar muscles.

His claim under the act of February 6, 1907, was properly rejected by the bureau on October 8, 1907, on the ground that he was not an enlisted man in either the military or naval service of the United States.

His general-law pension was granted under the second paragraph of section 4693, Revised Statutes (disability incurred while serving on a war vessel of the United States).

He is a resident of Muncie, Ind., and is shown by the testimony of Dr. Jackson, of that place, to be now so disabled from lumbago that he is unable to follow his vocation and that this condition is aggravated by attack of diarrhea and other ailments. It is further shown that he is unable to support himself.

Congress has repeatedly held that it was the intention of the framers of the act of June 27, 1890, to include in its provisions all men who are entitled to pension under the general law, under section 4695, Revised Statutes (except those mentioned in paragraph 4), and inasmuch as it has repeatedly given relief by special legislation in

such cases, like relief is justified in this case and an increase of claimant's pension to \$30 per month is recommended.

H. R. 12489. John Small, aged 74 years, served as a private in Company K, First Regiment Indiana Volunteer Heavy Artillery, from March 19, 1864, to October 10, 1865 (1 year 6 months and 21 days), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$8 per month by reason of senile debility.

Was formerly pensioned under the act of July 14, 1862, at \$6 per month for bronchitis and disease of kidneys from measles and chronic diarrhea.

Address Marmaduke, Ark.

Board of surgeons, December 20, 1905, found senile and general debility, scoliosis, and age.

Medical testimony is that applicant has chronic diarrhea and is unable to earn a living.

Other testimony is that applicant has property worth \$250 and no income but his pension.

An increase to \$30 per month is recommended.

H. R. 12674. William McGowin, aged 70 years, served as a private in Company E, Twenty-sixth Regiment Illinois Volunteer Infantry, from August 2, 1861, to July 20, 1865 (3 years 11 months and 18 days), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$10 per month by reason of rheumatism, disease of right eye, stomach, and nervous system, and senile debility.

Address, Streator, Ill.

Board of surgeons, July 18, 1906, found injury to right eye and disease of nervous system as result of sunstroke.

Medical testimony is that applicant is afflicted with mental weakness; sight and hearing are bad; his general condition is such that he is unable to work.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$30 a month is recommended.

H. R. 12746. Theodore Kiefer, aged 64 years, served as a private in Company A, Sixtieth Regiment Indiana Infantry, from January 15, 1862, to March 21, 1865 (three years and two months), and is now a pensioner under the act of July 14, 1862, at \$17 per month on account of disease of liver and resulting disease of heart.

Address, Tell City, Ind.

Medical examination, August 23, 1911, reveals only the pensioned disabilities, but rates at \$24. The Pension Bureau, however, rejected claim for increase September 22, 1911. The family physician says by reason of hypertrophy of heart it is very unsafe for soldier to attempt manual labor.

The county auditor certifies that pensioner is not assessed on any real estate and but \$150 on personal property.

Neighbors say that the only property or resources which soldier owns is his household property, his salary as mayor of Tell City—\$100—and his pension.

An increase to \$30 per month is recommended.

H. R. 12844. Lester J. Dack, aged 64 years, served as a private in Company L, Tenth Regiment New York Volunteer Heavy Artillery, from March 1, 1864, to June 23, 1865 (1 year 3 months and 22 days), and is now a pensioner under the act of June 27, 1890, at \$12 per month for disease of liver, right inguinal hernia, impaired vision, and general debility.

He was formerly pensioned under the act of July 14, 1862, at \$8 per month by reason of chronic diarrhea and disease of lungs.

Address, Ipswich, S. Dak.

Board of surgeons, April 5, 1911, found bronchitis, weak and dilated heart, loss of sight, hernia, and general debility.

Medical testimony is that applicant is in a generally debilitated condition; has a weakened condition of the heart; has a cough, which troubles him; his liver is enlarged; has an inguinal hernia; and from time to time has arthritic rheumatism. Is unable to do manual labor.

Other testimony is that applicant has no real property, has 6 horses, 12 head of cattle, machinery worth about \$150, and cheap household furniture; that his personal property, with the exception of 6 head of yearling cattle, is mortgaged to about the amount of \$900. He has a pension of \$12 a month.

An increase to \$36 a month is recommended.

H. R. 13160. Rebecca M. Clark, aged 90 years, is the widow of John M. Clark, who served as a private in Company C, Ninth Regiment New Jersey Infantry, from January 17, 1865, to April 27, 1865, when he died of typhoid fever.

Applicant was pensioned at \$8 from April 26, 1865, with \$2 additional from July 25, 1866, for each of three children until each became 16 years of age, and at \$12 from August 19, 1886, to the present time.

She and soldier were married May 8, 1845.

Address, 567 Rutherford Avenue, Trenton, N. J.

Dr. W. G. McCullough testifies that pensioner is almost totally deaf, completely blind in one eye and nearly so in the other.

Two friends testify that she is not the owner of any real estate, and her personal property consists of a bedroom set worth \$25; her income is her pension of \$36 a quarter.

An increase to \$20 per month is proper.

H. R. 13166. Samuel P. Parker, aged 79 years, served as a private and sergeant in Company H, Twelfth Regiment Indiana Infantry, from August 7, 1862, to June 8, 1865 (2 years and 10 months), and is now a pensioner under the act of ———, at \$20 per month on account of age.

Formerly pensioned under act of June 27, 1890, at \$12, for age (Order 78).

Address, Rochester, Ind.

Dr. F. P. Bitters, February 5, 1912, testifies that pensioner suffers from chronic bronchitis, asthma, fatty degeneration of the heart, obesity, nearly total blindness, and enlarged prostate. He is liable to sudden death at any moment; even walking is hazardous.

Lay testimony shows that soldier has no property, either real or personal, and no income of any description except his pension.

An increase to \$30 is recommended.

H. R. 13623. Noah Dujardin, aged 69 years, served as a private in Company E, One hundred and thirtieth Regiment Illinois Volunteer Infantry, from February 25, 1864, to August 15, 1865 (1 year 5 months and 20 days), and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of chronic diarrhea, disease of throat, heart, and rectum; injury to right testicle; and senile debility.

Address, Hayes, S. Dak.

Board of surgeons, October 3, 1906, found diarrhea, throat, heart, and rectal disease; lack of sight and hearing; rheumatism; and disease of right testicle.

Medical testimony is that applicant has bad heart, which is irregular in rhythm and volume; hardening of valves and heart and arteries; many of his teeth are gone or decayed to the roots; varicocele on right side and right testicle much enlarged; prostate gland somewhat enlarged; chronic cystitis; chronic catarrhal enteritis, with alternating diarrhea and constipation; has chronic muscular rheumatism; has chronic pleurisy in left side; right arm and hand partially paralyzed; catarrh; conjunctivitis, etc.; is unable to do manual labor.

Other testimony is that applicant owns 160 acres of land, with a mortgage of \$500 and taxes and interest of \$75. He also owns 5 head of cattle, 3 head of horses, 14 head of sheep, on which there is a mortgage of \$240.

An increase to \$30 is recommended.

H. R. 13632. William Denham, aged 78 years, served as a private in Company E, Fifth Regiment Tennessee Volunteer Infantry, and as a private in Company I, Sixty-sixth Illinois Volunteer Infantry, from November 2, 1847, to July 20, 1848, and from September 30, 1861, to July 11, 1862 (1 year and 6 months), and is now a pensioner under the act of July 14, 1862, at \$30 per month on account of disease of lungs, chronic diarrhea and resulting disease of rectum.

Address, Bone Gap, Ill.

Claim for increase was rejected upon last medical examination, which disclosed, besides the pensioned disabilities, right inguinal hernia.

Three physicians testify that he is wholly incapacitated for manual labor by reason of lung trouble, chronic diarrhea, and has a mass of protruding piles as large as a man's fist and requires a personal attendant part of the time.

Pensioner says he possesses no real estate, no personal property, and no income other than his pension of \$30 a month. This is corroborated by two neighbors.

An increase to \$40 is recommended.

H. R. 14735. Andrew Row, aged 69 years, served as a private in Company A, Forty-eighth Regiment Indiana Volunteer Infantry,

from March 14, 1864, to July 15, 1865 (1 year 4 months and 1 day), and is now a pensioner under the act of July 14, 1862, at \$14 per month on account of right oblique inguinal hernia, complete, and ventral hernia right side.

Address, Elkhart, Ind.

Board of surgeons, November 25, 1903, found pensioned causes.

Medical testimony is that applicant suffers from pensioned causes, cystitis, and a carcinoma of the mouth; is unable to do manual labor. The carcinoma of the mouth is a cancer of the mouth.

Other testimony is that applicant owns, jointly with his wife, 6.57 acres of land, the value of which land with improvements is \$1,300; he has personal property worth \$200. He has an income from the real property of about \$75 a year. He has a pension of \$14 a month.

An increase to \$36 a month is recommended.

H. R. 15056. Joseph W. Long, aged 69 years, served as a private in Company E, One hundred and fifteenth Regiment Illinois Volunteer Infantry, from August 22, 1862, to June 11, 1865 (2 years 9 months and 19 days), and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of disease of nervous system and chest.

Address, Lock box No. 254, Decatur, Ill.

Board of surgeons, April 22, 1891, found neurasthenia.

Medical testimony is that applicant has well-developed cataract in right eye and incipient cataract in left eye; it will be but a short time until useful vision in left eye is gone.

Other testimony is that applicant has no real estate; his personal property is limited to household furniture; and his pension is his income.

An increase to \$30 a month is recommended.

H. R. 15088. William M. Lamere, aged 67 years, served as a private in Company A, One hundred and sixty-fourth Regiment New York Volunteer Infantry, from September 3, 1862, to January 21, 1865 (2 years 4 months and 18 days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of July 14, 1862, at \$10 per month by reason of gunshot wound of left tibia.

Address, Potsdam, N. Y.

Board of surgeons, February 13, 1907, found pensioned cause and left hydrocele.

Medical testimony is that applicant has cataract of both eyes and diabetes; his sight is almost entirely gone; is unable to do any manual labor.

It appears from the testimony that the applicant has no means of support but his pension.

An increase to \$30 a month is recommended.

H. R. 15160. David Dryburgh, aged 82 years, served as a landsman on U. S. S. *Ohio*, *Mississippi*, and *North Carolina*, United States Navy, from May 13, 1861, to June 23, 1862 (1 year 1 month and 10 days), and is now a pensioner under the act of February 6, 1907, at \$20 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of senile and general debility and rheumatism.

Address, 2236 Sepviva Street, Philadelphia, Pa.

Board of surgeons, April 19, 1899, found rheumatism and injury to left hip, leg, and back.

Dr. C. W. Schaubel, March 14, 1912, testifies that soldier is suffering from senility and general debility and is unfit to do any kind of labor.

Two other affiants declare he has no property of any kind, neither real, personal, nor mixed, and that his pension of \$20 a month will not support him and his wife, and that he is almost blind.

His great age, a creditable service, and destitution warrant a rating of \$30 a month.

H. R. 15174. Sarah B. Scott, aged 59 years, is the widow of William G. Scott, who served as a sergeant in First Battalion Sixteenth Regiment United States Infantry, and hospital steward, United States Army, from July 13, 1861, to February 11, 1864, and from February 12, 1864, to March 21, 1866 (5 years and 1 month).

Soldier died May 1, 1911. He and applicant were married January 23, 1895. Applicant had never been previously married. Soldier had been married once before, and that wife died October 30, 1885. The accrued pension due at soldier's death was paid by the Pension Bureau to this applicant.

Claimant, whose address is Greensboro, Ala., declares that she has no real estate, but has \$700 in money which brings her \$35 a year.

Soldier's death being due to a fall, she has no status under the general law, and having married subsequent to June 27, 1890, she has no status under the act of April 19, 1908.

Dr. R. F. Monette, February 1, 1912, says applicant is suffering from an old fall, injuring back, chest, and ribs; that she is in a weak, chronic debilitated condition, unable to earn a support. She and two neighbors say she has no property of any kind, but \$700 in money.

Following a precedent, an allowance of \$12 may be made.

H. R. 15308. Thomas N. Smith, aged 70 years, served as a corporal in Company L. Fifth Regiment Tennessee Cavalry, from August 6, 1863, to August 13, 1865 (2 years), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

Was formerly pensioned at \$8 under act of June 27, 1890, for rheumatism and disease of eyes. Prior thereto was pensioned under the general law at \$4 for disease of eyes.

Address, Smithville, Tenn.

Medical examination, December 20, 1905, shows lumbago, deafness, impaired vision, and disease of eyes. He was examined June 27, 1910, with a view to renewal under the general law, but was not rated beyond \$6 for disease of eyes.

Drs. W. W. Parker and L. D. Allen, December 20, 1911, find suffering with rheumatism in nearly all muscles and joints; has chronic ophthalmic trouble with both eyes; is deficient in hearing and unable to do manual labor.

His three nearest neighbors say he has no other source for his living but his pension and possesses no real estate.

An increase from present rate to \$30 is recommended.

H. R. 15605. Olga H. Updegraff, aged 71 years, is the widow of James C. Updegraff; who served as a corporal in Third Battery Indiana Light Artillery, from July 29, 1861, to August 25, 1864 (37 months).

Claimant's address, Normal, Ill.

The soldier and claimant were married on December 24, 1864. Soldier died May 2, 1872. Claimant was subsequently remarried to one John Oliver, from whom she obtained a divorce on September 27, 1890, and in said decree she was authorized to resume her former name (Updegraff). She has not remarried since such divorce.

The evidence shows her to be a woman of good character, in necessitous circumstances, and no income other than such as she can earn by her labor. Her age precludes the idea that she is capable of doing much.

Her claim for pension filed in the Bureau of Pensions was rejected on the ground that she had no title under the act of June 27, 1890, inasmuch as she had remarried to John Oliver prior to the date of passage of said act. As she never filed a claim under the act of July 14, 1862, she can not obtain the benefit of the act of March 3, 1901.

The soldier's service was long and honorable, and this point should be borne in mind when considering this claim.

In view of claimant's age and the necessity for her to labor at such an age, and her financial needs, it seems proper to grant her the allowance asked.

A rating of \$12 per month is recommended.

H. R. 15753. John T. Stansbury, aged 68 years, served as a private in Alexander's Baltimore battery, Maryland Volunteer Artillery, from August 5, 1862, to June 17, 1865 (2 years 10 months and 12 days), and is now a pensioner under the act of July 14, 1862, at \$12 per month on account of wound of right thigh.

Address, 1238 South Charles Street, Baltimore, Md.

Board of surgeons, February 10, 1905, found pensioned cause.

Medical testimony is that applicant has rheumatism and lameness resulting from a compound fracture and is unable to do manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$36 per month is recommended.

H. R. 15795. John G. Sprague, aged 74 years, served as a corporal, private, sergeant major, and private in Company E, Twenty-second Regiment, and Company E, Forty-second Regiment, Illinois Volunteer Infantry, from June 11, 1861, to December 15, 1865 (four years six months and four days), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of rheumatism, injury of back, disease of rectum, and varicose veins of left leg.

Address, National Soldiers' Home, Virginia.

Board of surgeons, March 20, 1891, found chronic diarrhea and disease of rectum, rheumatism, injury of spine, and varicose veins of left leg.

Medical testimony is that applicant suffers from an old injury to the spine and its effects; has had hemiplegia, from which he has

partially recovered; has impaired hearing; impaired eyesight; has atheroma of the arteries and hemorrhoids; is unable to do manual labor.

Two business men testify that he has no real or personal property, and no income but his pension.

An increase to \$30 is recommended.

H. R. 15806. William V. Doan, aged 73 years, served as a corporal in Company C, Seventy-ninth Regiment Ohio Infantry, from November 21, 1863, to April 7, 1866 (two years and five months), and is now a pensioner under the act of July 14, 1862, at \$30 per month on account of rheumatism and resulting disease of heart.

Address, Wellington, Ill.

Medical examination, June 23, 1911, describes in detail rheumatism and resulting disease of heart and loss of left leg, due to senile gangrene—amputated below knee since preceding examination, April 29, 1908—and rated him for combined disabilities \$72 a month. Increase was, however, denied by the Bureau of Pensions, which, on appeal, was sustained by the honorable Secretary of the Interior.

Dr. Adsit, September 29, 1911, testifies that on May 8, 1911, he amputated soldier's left leg for relief of senile gangrene, and this, with his pensioned disabilities, necessitates a constant attendant, as he can not stand alone or dress himself.

Soldier's statement is to the point that he must support himself, his wife, who is 68 years old, and his aunt, 93 years old, who is blind. Further, that if his debts were paid he would not be worth \$1,000. This is corroborated by neighbors. It is shown soldier has a house—no other property—in which he lives.

An increase to \$40 is recommended.

H. R. 15819. Charles M. Pond, aged 70 years, served as a private in Company D, Eleventh Regiment New Hampshire Volunteer Infantry, and Company D, Nineteenth Regiment Veteran Reserve Corps, from August 20, 1862, to November 15, 1865 (3 years 2 months and 25 days), and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of disease of rectum, malarial poisoning, and varicose veins.

Address, Milford, N. H.

Board of surgeons, April 13, 1904, found malarial poisoning, piles, rectal disease, and varicose veins.

Medical testimony is that applicant has had operations for prolapsus of the rectum and stone in the bladder. He is absolutely incapacitated for doing manual labor.

Two neighbors testify that soldier owns a small place valued at \$1,600, mortgaged at \$400, which is his home. He keeps a few hens, and the little income from them and his pension is his entire income and the entire property he possesses.

An increase to \$30 is recommended.

H. R. 15850. Thomas B. Galbraith, aged 67 years, served as a corporal in Company F, First Battalion Pennsylvania Volunteer Infantry, from July 12, 1864, to November 14, 1864 (four months and two days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$10 per month by reason of nasopharyngeal catarrh, disease of rectum, left inguinal hernia, and rheumatism and disease of heart.

Address, Brookville, Pa.

Board of surgeons, November 21, 1900, found disease of rectum, rheumatism, disease of heart, stomach, and liver, left inguinal hernia, and chronic nephritis.

Medical testimony is that applicant suffers from hernia, fistula, and ulceration of the bowels, and is unable to do manual labor.

Other testimony is that applicant has a place where he makes his home, but is the property of the heirs of his deceased wife; he has a vacant lot worth \$100. Has no income but his pension.

An increase to \$24 per month is recommended.

H. R. 15869. Atlas P. Hammond, aged 69 years, served as a corporal in Companies F and C, One hundred and tenth Regiment Illinois Volunteer Infantry, from August 15, 1862, to June 8, 1865 (2 years 9 months and 23 days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$10 per month by reason of rheumatism, disease of liver and rectum, and senile debility.

Address, Gainesville, Ark.

Board of surgeons, November 7, 1906, found rheumatism, lumbago, disease of liver, disease of bowels, and senile debility.

Medical testimony is that applicant has chronic muscular rheumatism, indigestion, constipation, and general debility, due to advanced age.

From the testimony it appears that applicant owns a house and lot worth about \$500. He has no income but his pension.

An increase to \$30 a month is recommended.

H. R. 15870. William Strang, alias John W. Strang, aged 67 years, served as a private in Company A, Fiftieth Regiment Ohio Volunteer Infantry, from October 15, 1863, to May 24, 1865 (one year seven months and nine days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$8 per month by reason of disease of heart.

Address, Piggott, Ark.

Board of surgeons, June 7, 1905, found general debility.

Medical testimony is that applicant suffers from heart trouble and kidney trouble; is unable to do hard work.

Other testimony is that applicant has an estate by the curtesy in a farm, and a small amount of personal property, not exceeding in value \$300.

An increase to \$30 is recommended.

H. R. 15885. Hugh Valentine, aged 76 years, served as a private and corporal in Companies E and D, Seventh Regiment Kentucky Volunteer Infantry, from August 11, 1861, to March 11, 1866 (4 years and 7 months), and is now a pensioner under the act of February 6, 1907, at \$20 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of rheumatism and resulting disease of heart and injury to left foot.

Was formerly pensioned under the act of July 14, 1862, at \$8 per month for bayonet wound of left foot.

Address, Crawfish, Ky.

Board of surgeons, March 6, 1910, found disease of heart, injury to left foot, feebleness, and senility.

It appears that from age and its accompanying infirmities the applicant is unable to do manual labor.

Other testimony is that applicant has land worth \$200; 2 mules, worth about \$100; 1 milch cow, worth about \$20; and 6 pigs, worth about \$6; his income is his pension.

An increase to \$36 a month is recommended.

H. R. 16109. Charles Janz, alias Charles Johnson, aged 66 years, served as a private in Company I, Seventh Regiment Illinois Cavalry, from August 30, 1861, to October 9, 1862—when he deserted—and from November 26, 1863, to November 4, 1865 (3 years), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

Never previously pensioned.

Dr. W. S. Coons, December 12, 1911, declares that pensioner is permanently incapacitated as a result of rheumatism and chronic nephritis and is rapidly losing his eyesight.

There is testimony showing that he has nothing of this world's goods and is unable to work.

The Member introducing this bill testifies that soldier is nearly blind, has absolutely nothing of this world's goods, no real estate, and that he and his wife are forced to live on his pension.

His long and faithful final service, his helplessness, and destitution warrant an increase to \$30.

Desertion from first service is condoned by the joint resolution of July 1, 1902, inasmuch as his second enlistment at Lagrange, Tenn., in a regiment doing active service there precludes having received any bounty.

H. R. 16230. Isaac M. Krise, aged 73 years, served as a private in Company E, Seventy-fourth Regiment Ohio Volunteer Infantry, from October 8, 1861, to December 31, 1864 (3 years 2 months and 23 days), was a prisoner of war, and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of rheumatism, varicose veins of left leg, and gunshot wound of great toe of right foot.

Address, Fairfield, Ohio.

Board of surgeons, October 31, 1894, found rheumatism, disease of heart, varicose veins of left leg, gunshot wound of great toe of right foot, and disease of digestive organs.

Medical testimony is that applicant has been compelled for six years to go about on crutches. It is necessary for some one to assist him at all times to put on or take off his shoes; he frequently needs the assistance of another person to assist him to dress and undress; he is unable to do manual labor.

Other testimony is that applicant is wholly dependent upon his pension for support.

An increase to \$30 a month is recommended.

H. R. 16245. Ivan E. Dye, aged 67 years, served as a private in Company A, Fifteenth Regiment West Virginia Volunteer Infantry, from August 10, 1862, to June 14, 1865 (2 years 10 months and 4 days), and is now a pensioner under the act of June 27, 1890, at \$12 per month, on account of rheumatism; bronchitis; disease of heart, eyes, and rectum; and general debility.

Address, 1513 Garfield Avenue, Parkersburg, W. Va.

Board of surgeons, September 5, 1906, found bronchitis; disease of digestive organs, eyes, and heart; and piles and rheumatism.

Medical testimony is that applicant suffers from a general breakdown, with severe cough, expectoration of mucus and pus, sometimes mingled with blood; has night sweats; heart is weak; is totally unable to do manual labor.

Other testimony is that applicant is a poor man and his income, aside from his pension, does not amount to \$100 a year.

An increase to \$30 a month is recommended.

H. R. 16250. James Kubicek, aged 65 years, served as a private and trumpeter in Company M, Eleventh Regiment, and Company C, Eighth Regiment, Michigan Volunteer Cavalry, from December 30, 1863, to September 22, 1865 (1 year 8 months and 22 days), and is now a pensioner under the act of February 6, 1907, at \$12 per month, on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$8 per month by reason of rheumatism, impaired vision, and varicose veins of left leg.

Address, 7245 Evans Avenue, Chicago, Ill.

Board of surgeons, July 17, 1902, found rheumatism, lumbago, varicose veins of left leg, catarrh and catarrhal deafness, and general debility.

Medical testimony is that applicant has rheumatism, is completely deaf in the left ear, has to void urine frequently, has varicose veins of left leg, is unable to do manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$30 a month is recommended.

H. R. 16470. Sarah A. Lane, aged 68 years, is the widow of Charles G. Lane, who served as a private in Company A, One hundred and seventy-eighth Regiment Ohio Infantry, from September 9, 1864, to June 29, 1865 (10 months).

Address, Johnstown, Ohio.

Soldier was pensioned under the general law at \$17, for hemorrhoids and resulting prolapsus ani. He died September 8, 1910. He and pensioner were married December 21, 1889. She is now pensioned under act of April 19, 1908, at \$12 per month.

Dr. L. C. Laycock has been her family physician for the last 15 years, during which period she has been a sufferer from chronic articular rheumatism to such an extent that she has not been able to walk.

Neighbors testify that she is entirely helpless, can not walk, has no real or personal property, and lives upon her pension and the assistance of her relatives.

The county auditor certifies that no property, real or personal, is assessed in her name.

An increase to \$20 is recommended.

H. R. 16544. Otho W. Thompson, aged 73 years, served as a private in Company H, Thirteenth Regiment Missouri State Militia Volunteer Cavalry, from March 25 to October 12, 1862 (6 months and 17 days—discharged for disability), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of chronic diarrhea, piles, rheumatism, disease of heart, right inguinal hernia, and senile debility.

Was pensioned under the act of July 14, 1862, at \$10 per month for chronic diarrhea.

Address, Vancouver, Wash.

Board of surgeons, March 20, 1907, found disease of heart, chronic diarrhea, and right inguinal hernia.

Medical testimony is that applicant has nephritis and is unable to do manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$20 per month is recommended; short service.

H. R. 16607. Thomas Knowles, aged 67 years, served as a private in Company E, Third Regiment, and Company L, Fifth Regiment, Pennsylvania Volunteer Cavalry, from October 19, 1864, to August 7, 1865 (9 months and 18 days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of July 14, 1862, at \$10 per month by reason of piles and resulting disease of rectum.

Address, Pottsville, Pa.

Board of surgeons, June 4, 1890, found piles.

Medical testimony is that applicant has rheumatism and impaired vision and is unable to do manual labor.

Other testimony is that applicant has a home worth \$825, and no other property and no income but his pension.

An increase to \$24 a month is recommended.

H. R. 16640. Adam E. Shannon, aged 65 years, served as a private in Company D, Seventeenth Regiment Indiana Volunteer Infantry, from March 4, 1864, to August 8, 1865 (one year five months and four days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$10 per month by reason of chronic diarrhea and disease of heart, rheumatism, and disease of rectum.

Address, Dunkirk, Ohio.

Board of surgeons, September 7, 1904, found pensioned causes.

Medical testimony is that applicant is a confirmed invalid, with no prospect of ever being any better; is in a condition of imbecility.

Other testimony is that applicant is destitute.

An increase to \$30 a month is recommended.

H. R. 16708. Annie Oleson, aged 52 years, is the widow of Ole Oleson, 2d, who served as a private in Company H, Thirteenth Regiment Wisconsin Infantry, from August 24, 1864, to June 13, 1865 (9½ months).

Address, Whitewater, Wis.

Soldier was pensioned at \$12 under act of February 6, 1907. He died November 22, 1907. His accrued pension was paid to this widow. He and she were married July 4, 1893.

The date of this marriage gives applicant no status under act of June 27, 1890, or act of April 19, 1908.

Two physicians declare that applicant is of so delicate constitution that she is unable to support herself by labor, while two bank officials say the same thing and add that she has no income from any source whatever and is dependent upon her brothers for maintenance.

Following precedents in similar cases, a rate of \$12 a month may be allowed her.

H. R. 16709. William Henry Jaques, aged 65 years, served as a private in Fourth Regiment New Jersey Volunteer Light Artillery, from February 29, 1864, to June 17, 1865 (1 year 3 months and 18 days), and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of malarial poisoning, disease of stomach, rheumatism, and nasal catarrh.

Address, R. F. D. No. 5, Darlington, Wis.

Board of surgeons, November 21, 1894, found disease of stomach, rheumatism, and nasal catarrh.

Medical testimony is that applicant has arteriosclerosis and weak heart and is unable to do manual labor.

Other testimony is that applicant has a small home and no other property and no income but his pension.

An increase to \$30 a month is recommended.

H. R. 16752. Joseph H. George, aged 72 years, served as a private in Company D, Forty-ninth Regiment Illinois Volunteer Infantry, and in Company D, Fourth Regiment Veteran Reserve Corps, from November 2, 1863, to September 20, 1865 (1 year 10 months and 18 days), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of July 14, 1862, at \$8 per month by reason of gunshot wound of right foot.

Address, Gainesville, Ark.

Board of surgeons, January 14, 1891, found gunshot wound of right foot.

Medical testimony is that applicant is suffering from wound of right foot, anemia, and general debility, and advanced years, and is unable to do manual labor.

Other testimony is that applicant has real and personal property worth \$500, and no income but his pension.

An increase to \$36 a month is recommended.

H. R. 16784. Joseph Cooper, aged 80 years, served as a private in Company C, Eleventh Regiment Minnesota Volunteer Infantry, from August 16, 1864, to June 26, 1865 (10 months and 10 days), and is now a pensioner under the act of February 6, 1907, at \$20 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of right inguinal hernia, complete and general debility.

Address, Fergus Falls, Minn.

Board of surgeons, February 24, 1892, found hernia, hydrocele, debility, and old age.

Medical testimony is that applicant has double hernia, hydrocele, left eye blind, right very poor, and contraction in each hand; is unable to do manual labor; is 80 years old.

It appears that applicant's property consists of a house, on which there is a mortgage of \$315, and that his income is his pension.

An increase to \$24 a month is recommended. Short service.

H. R. 16967. Asa C. Ottarson, aged 69 years, served as a private in Company A, Eighteenth Regiment Wisconsin Volunteer Infantry, from October 23, 1861, to January 21, 1863 (1 year 2 months and 28 days—discharged on surgeon's certificate of disability), and is now a pensioner under the act of June 27, 1890, at \$12 per month for disease of heart and loss of sight of left eye.

Address, Backus, Minn.

Board of surgeons, August 29, 1902, found loss of sight of left eye and chronic conjunctivitis of right eye.

Medical testimony is that applicant is practically blind and has to be led about by an attendant.

County auditor states that no property is assessed against the applicant; his income is his pension.

An increase to \$30 a month is recommended.

H. R. 17081. Joseph Falood, aged 82 years, served as a private in Company H, Twelfth Regiment Pennsylvania Reserves Volunteer Infantry, from August 10, 1861, to June 11, 1864 (2 years 10 months and 1 day), and is now a pensioner under the act of February 6, 1907, at \$20 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of rheumatism, injury of left hand, varicose veins of both legs, and senile debility.

He was formerly pensioned under the act of July 14, 1862, at \$6 per month for nasal catarrh.

Address, Indiana, Pa.

Board of surgeons, November 5, 1902, found nasal catarrh and impaired hearing, rheumatism, and sciatica.

Medical testimony is that applicant has had index finger of left hand amputated, has enlarged prostate, his hearing is very much impaired; is totally disabled for manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$36 a month is recommended.

H. R. 17269. Thomas Roberts, aged 74 years, served as a private in Company C, Seventeenth Regiment Kansas Volunteer Infantry, from July 16, 1864, to November 15, 1864 (3 months and 29 days), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of July 14, 1862, at \$10 per month by reason of complete left inguinal hernia.

Address, National Military Home, Leavenworth, Kans.

Board of surgeons, April 26, 1905, found left inguinal hernia, lumbago and rheumatism, and senility.

Medical testimony is that applicant has complete left inguinal hernia and very painful left varicocele; his hearing is impaired;

has rheumatism and varicose veins of legs; is unable to do manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$20 a month is recommended.

H. R. 17275. Francis J. Donnelly, aged 74 years, served as a private in Company L, First Regiment Wisconsin Volunteer Cavalry, from October 10, 1861, to January 13, 1863 (one year three months and three days), discharged on surgeon's certificate of disability, and was a pensioner under the act of June 27, 1890, at \$12 per month on account of impaired vision, chronic diarrhea, rheumatism, and disease of heart, and on March 27, 1912, was pensioned at \$15 under act of February 6, 1907, on account of age.

Address, Wisconsin Veterans' Home, Waupaca, Wis.

Medical examination by board of surgeons, August 19, 1891, found pensionable disabilities.

Dr. W. T. Leonard, March 1, 1912, declares that pensioner has been a patient in the hospital for three years; that he has vertigo to the extent that he walks with difficulty; and his disability is total.

Comrades Walsh and Baeswald testify that he owns no property whatever and has no income, his pension being his only support.

Old, helpless, and destitute, and with a good service record, an increase to \$30 is recommended.

H. R. 17294. Jonathan Bondy, aged 63 years, served as a private in Company H, Seventeenth Regiment West Virginia Volunteer Infantry, from February 16, 1865, to June 30, 1865 (4 months and 14 days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$10 per month by reason of hemorrhoids and disease of eyes.

Address, Moundsville, W. Va.

Board of surgeons, August 5, 1908, found rheumatism, hemorrhoids, disease of eyes and heart.

Medical testimony is that applicant has little use of his right hand and forearm, result of a fracture; has cataract of eyes; has right varicocele; has hemorrhoids; has enlarged prostate gland; has rheumatism; is unable to do manual labor.

The county clerk states that applicant owns no real estate and only a small amount of household effects. His income is his pension.

An increase to \$20 a month is recommended; short service.

H. R. 17467. Lucretia Tanner, aged 78 years, is the former widow of Elijah Kelsey, who served as a private in Company G, Fifty-eighth Regiment New York State Militia Infantry, from August 10, 1864, to December 2, 1864 (3 months and 24 days).

Soldier never applied for pension; he died April 10, 1878. He and applicant were married July 1, 1851. She remarried March 9, 1886, to Tilden R. Tanner, who died February 7, 1890; since which time she has remained a widow.

Applicant filed a claim under the general law, which included the names of three children under 16 years of age when soldier died. This claim was rejected after special examination on the ground of

no record of any disability and no satisfactory evidence to connect fatal kidney disease and disease of respiratory organs with soldier's Army service.

Subsequently she filed claims under act of June 27, 1890, and act of April 19, 1908, which were rejected on the ground of no title, claimant having remarried prior to passage of said acts.

Four neighbors testify that the only means of support applicant has is a life lease in 55 acres of land, which yields her an income of \$100 a year, and after taxes and repairs are paid by her the net income is not more than \$50.

Address, Hudson, Mich.

She married soldier in 1851, was his wife for 27 years, is now very old and helpless, and following precedent it is proper to allow her a pension of \$12 a month.

H. R. 17514. John Irwin, aged 76 years, served as a private in Company B, Ninety-third Regiment Pennsylvania Volunteer Infantry, from December 6, 1864, to June 27, 1865 (6 months and 21 days), and is now a pensioner under the act of February 6, 1907, at \$20 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$10 per month by reason of disease of eyes and rectum.

Address, Marietta, Pa.

Board of surgeons, August 20, 1891, found disease of eyes and rectum.

Medical testimony is that applicant is almost entirely blind; he is almost as deaf as blind; can not put on his clothes or eat his meals without help.

The applicant is dependent upon his pension for a support; he has no property.

An increase to \$24 a month is recommended. Short service.

H. R. 17519. Dora Emmons, aged 50 years, is the widow of James Emmons, who served as a private in Company F, Tenth Regiment New Jersey Infantry, from April 20, 1861, to May 7, 1863 (two years).

Soldier was pensioned under act of June 27, 1890, at \$12 and from March 26, 1910, by special act at \$30. He died May 29, 1910, and this widow was paid his accrued pension.

He and applicant were married January 19, 1893.

Address, 26 Taylor Street, Paterson, N. J.

Dr. A. L. Newman, March 14, 1912, avers she is suffering from chronic rheumatism and chronic disease of the uterus; as she has many spells she is not able to work much as she is ailing most of the time.

Applicant testifies that as soldier was helpless the last four years of his life she had to support him and herself doing laundry work at the Paterson General Hospital during the day and doing her housework and attending to the soldier at night. On the 27th of February, 1910, soldier struck her across her back with his walking stick, injuring her internally and making her an invalid, as at times she can not do her work of scrubbing the floors at the Empire Theater, where she is paid at the rate of \$1 a day for the time actually at work; and further she has no property in any place.

The manager of the theater says she is a sober and industrious woman.

Two neighbors say she has no property of any description, neither real nor personal, and that her only income is the little she can earn washing and scrubbing, which, owing to her age and physical condition, is small.

An allowance of \$12 a month is granted.

H. R. 17538. Minnie Points, aged 43 years, is the helpless and dependent daughter of Abraham Points, who served as a private in Company C, Forty-second Regiment Missouri Volunteer Infantry, from August 11, 1864, to June 28, 1865 (10 months).

Address, Powersville, Mo.

Soldier was pensioned under the act of June 27, 1890, at \$12. He died April 14, 1897. He and the mother of applicant were married November 8, 1847. She died April 6, 1911. The mother was pensioned under the act of June 27, 1890, at \$8 from June 11, 1897, and at \$12 from April 19, 1908.

No one is now pensioned on soldier's service.

Applicant was born March 8, 1869, and from her infancy was unable to care for herself, being helpless.

Dr. A. D. Ellis, who has known her for 12 years, says she is an invalid and not able to work or support herself, and that she was dependent upon her mother until she died.

The widow died leaving no property for her support. She is now destitute and cared for by friendly hands.

Dr. F. E. Cozad has known applicant for 30 years; says she is physically and mentally helpless, and is entirely dependent on her friends and relatives, being mentally incapacitated.

Following precedents, an allowance of \$12 a month is proper.

H. R. 17563. John F. Trulock, aged 67 years, served as a private in Company H, Ninety-first Regiment Indiana Volunteer Infantry, from August 15, 1863, to March 23, 1864, and in Company D, Seventh Regiment Indiana Volunteer Cavalry, from October 24, 1864, to October 23, 1865 (total service, 1 year 7 months and 7 days), and is now a pensioner under the act of July 14, 1862, at \$17 per month on account of chronic diarrhea and resulting piles and disease of rectum.

Address, Gas City, Ind.

Board of surgeons, January 11, 1911, found chronic diarrhea, piles, disease of stomach, disease of kidneys, and rheumatism.

Medical testimony is that applicant, as a result of ulceration of the rectum and hemorrhoids, is unable to work.

Other testimony is that applicant has a dwelling house and two lots, worth about \$500, and that he has no income but his pension.

An increase to \$30 a month is recommended.

H. R. 17603. John W. Sutton, aged 67 years, served as a private in Company A, Twenty-fourth Regiment Michigan Volunteer Infantry, from February 28, 1865, to June 30, 1865 (4 months and 2 days), and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of rheumatism, disease of heart, and asthma.

Address, Elkhart, Ind.

Board of surgeons, January 14, 1891, found pensioned causes.

Medical testimony is that applicant has chronic articular rheumatism; requires crutches when he walks; has chronic bowel trouble; has rapid and irregular heart, and is anemic; is unable to do manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$24 a month is recommended. Short service.

H. R. 17633. Abbie J. Genthner, aged 55 years, is the helpless and dependent daughter of Isaiah Genthner, who served as a private in the Third Battery, Maine Light Artillery, from November 1, 1861, to January 5, 1863, and in Company G, Second Maine Cavalry, from December 2, 1863, to August 26, 1865, and who died June 28, 1896, while a pensioner under the general law at \$10 on account of chronic diarrhea, disease of the heart, and rheumatism.

He died of disease of the heart, and his widow, who married him on April 7, 1845, was thereupon pensioned under the general law from the date of his death at \$12 per month until her death, January 9, 1904.

The applicant was born March 14, 1856.

Dr. A. A. Brown testifies that he has treated applicant for nine years, and during the whole time she has been confined to her bed; her lower limbs are drawn up, and she suffers constantly from neuralgic pains, except when under the influence of opiates.

Neighbors testify that they have known applicant from her birth, and that when 12 years old she had a severe sickness and has never been able to care for herself since; that she has to be carried from place to place, as her lower limbs are useless, and she has to have a constant attendant.

The assessors of Willimantic certify that she has no property of any kind and has been supported by the town for the past 15 years.

Following precedent, an allowance of \$12 a month may be made.

H. R. 17712. James C. Nies, aged 80 years, served as a sergeant in Company G, Forty-eighth Regiment Pennsylvania Volunteer Infantry, from September 20, 1861, to September 30, 1864 (3 years and 10 days), and is now a pensioner under the act of February 6, 1907, at \$20 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of piles, rheumatism, disease of heart, and senile debility.

Address, Pottsville, Pa.

Board of surgeons, November 13, 1901, found rheumatism, weak heart, dysentery, and senile debility.

Medical testimony is that applicant has heart disease and piles; is unable to do manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$30 a month is recommended.

H. R. 17806. Oliver H. P. Bailey, aged 87 years, served as a lieutenant colonel in Seventy-third Indiana Infantry from July 23, 1862, to December 22, 1862; prior service, July 1, 1861, to December 31, 1861 (11 months), and is now a pensioner under the act of February 6, 1907, at \$20 per month on account of age.

Formerly pensioned under act of June 27, 1890, at \$12 for rheumatism and senility.

Also served in Mexican War from June 14, 1846, to September 24, 1846, and pension at \$8, as Mexican War survivor, from January 29, 1887.

Address, Lathrop, Cal.

Applicant alleges he has no adequate means of support; that he and his wife, whom he married eight years ago, live in her house and he pays the taxes; that of his pension of \$20 a month he must pay a grocery bill of \$10 and \$8 for a cord of wood.

Neighbors say he has no property of any value and no income but his pension.

An increase to \$30 is recommended.

H. R. 17886. Mary E. Tucker, aged 76 years, is the widow of Fred-
erich H. Tucker, who served as a private in Company D, Second
Regiment United States Volunteer Sharpshooters, from November
1, 1861, to September 11, 1865 (3 years and 10 months).

Soldier was a pensioner under the general law at \$3; he died
March 5, 1897. He and applicant were married May 9, 1879. She
was pensioned at \$8 from March 27, 1897, and at \$12 from April
19, 1908.

She had previously been pensioned at \$8 under the general law
as the widow of William A. McFarland, Company D, Second United
States Volunteer Sharpshooters, who was killed in a skirmish No-
vember 9, 1863, at Warrenton, Va. He and this applicant were
married August 9, 1854, and he left three minor children (sons), who
were pensioned after applicant's marriage, January 29, 1865, to Jud-
son Tucker.

Dr. G. A. Shelton says that in July, 1907, applicant was thrown
from an electric car, injuring her spine; she also has chronic bron-
chitis, which troubles combined wholly incapacitate her from earn-
ing a living.

This physician and a banker testify that she has no property and
no income other than her pension.

Old, helpless, the widow of two soldiers, it is proper to increase her
pension to \$20 a month.

Her address, Shelton, Conn.

H. R. 17891. Thomas Butler, aged 65 years, served as a private in
Company F, First Wisconsin Cavalry, and in Company C, Thirty-
seventh Regiment United States Infantry, from November 15, 1864,
to July 18, 1865 (eight months, Civil War), and from November 27,
1865, to November 3, 1867 (23 months), and is now a pensioner under
the act of July 14, 1862, at \$30 per month on account of gunshot
wound of breast and right shoulder.

His address is Wausaukee, Wis.

He declares he is wholly unfitted for labor and has no income
except his pension. Medical evidence shows arteriosclerosis, due to
gunshot wound.

Lay testimony shows that soldier is now unable to follow his pro-
fession as a lawyer, owing to disability claimed, and that he has no
property or income.

The last medical examination (December 21, 1892) at **Merrillan, Wis.**, showed a degree of disability equal to \$30 per month on account of gunshot wound of breast and \$12 for heart disease; soldier requiring frequent care and attendance of another person. Pension Bureau has denied another examination for increase.

A rating of \$50 per month is justified in view of soldier's grave disability.

H. R. 17968. William J. Gorline, aged 67 years, served as a corporal in Company A, Ninety-first Regiment Illinois Volunteer Infantry, from August 11, 1862, to July 12, 1865 (2 years 11 months and 1 day), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$10 per month by reason of rheumatism and resulting disease of heart and disease of rectum.

Address, Greenville, Ill.

Board of surgeons, January 19, 1898, found pensioned causes.

Medical testimony is that applicant has heart disease; has hemorrhoids, both bleeding and protruding; has lumbago and rheumatism; is unable to do manual labor.

The Member introducing the bill states that the applicant has no property and no income but his pension.

An increase to \$30 a month is recommended.

H. R. 18052. Anson B. Carney, aged 70 years, served as a private in Company B, Eightieth Regiment New York Volunteers (Twentieth New York State Militia), and in Company G, Fifth Regiment United States Cavalry, from February 1, 1862, to February 1, 1865 (three years), and is now a pensioner under the act of July 14, 1862, at \$30 per month on account of gunshot wound of back.

Address, Leroy, Pa.

Board of surgeons, June 15, 1904, found pensioned disability.

Medical testimony is that applicant suffers from the gunshot wound of back, the wound remaining open a large part of the time, and that he is permanently incapacitated for manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$40 is recommended.

H. R. 18289. Mary W. Smith, aged 80 years, is the former widow of James S. Magee, who served as a sergeant in Company E, Thirtieth Regiment New Jersey Infantry, from August 9, 1862, to June 8, 1865 (2 years and 10 months).

Address, No. 52 South Orange Avenue, South Orange, N. J.

Soldier never filed a claim for pension. He died August 15, 1871. He and applicant were married July 4, 1854. After remaining a widow for 26 years she again married, June 1, 1897, to George Smith, who died January 12, 1901, since which date she has not remarried.

While the widow of soldier she applied for pension under the general law, which was rejected after special examination—death cause not shown due to his military service. She then applied under act of June 27, 1890, and was pensioned at \$8 per month from July 30, 1890, to the date of her remarriage, June 1, 1897.

Dr. B. A. Robinson has treated applicant for 15 years, and says that with her infirmities and age—80 years—it is impossible to earn her livelihood.

Witnesses testify that her entire yearly income is less than \$50 a year from all sources.

Suffering from the weight of years, poor, and a war widow, following precedents, it is proper to place her name on the pension roll at \$12 a month.

H. R. 18353. Henry Huffine, aged 67 years, served as a private in Company D, Eighty-seventh Regiment Illinois Volunteer Infantry, and in Company G, Eighteenth Regiment Illinois Volunteer Infantry, from December 10, 1862, to December 16, 1865 (3 years and 6 days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$10 per month by reason of disease of throat, lungs, and heart, rheumatism, and general debility.

Address, Vanderbilt, Pa.

Board of surgeons, December 20, 1905, found disease of lungs, rheumatism, and general debility.

Medical testimony is that applicant has arteriosclerosis, chronic bronchitis, asthma, and chronic indigestion. It appears that he is unable to do manual labor.

Other testimony is that applicant has no source of support but his pension.

An increase to \$30 a month is recommended.

H. R. 18509. Thomas Hart, aged 72 years, served as a sergeant in Company B, One hundred and third Regiment Pennsylvania Infantry, from April 22, 1861, to August 5, 1861, and from September 24, 1861, to June 25, 1865 (4 years), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

Formerly pensioned under act of June 27, 1890, at \$12 for rheumatism and slight deafness of both ears.

Address, Fairfield, Ohio.

Last medical examination, February 9, 1898, rated him \$30, as he was so disabled by rheumatism as to be incapacitated from performing manual labor and could not dress or undress himself.

Dr. C. W. Goss, March 20, 1912, testifies that pensioner is a hopeless invalid; that his means are inadequate for even the barest comforts; that his wife is old and feeble and nearly blind, and unable to care for him during his attacks of rheumatism.

Other evidence shows he owns a little home on a half acre of ground, which is assessed at \$130. His income is his pension of \$15 a month and \$6 a month from the county's soldiers' relief fund. He has no other property or income.

Old, helpless, and destitute, with a four years' service to his credit—during eight months thereof he was in Andersonville prison—it is but proper that he should have an increase to \$30.

H. R. 18522. Alexis M. Huff, aged 66 years, served as a private in Company C, Twenty-ninth Regiment Iowa Volunteer Infantry, from January 1, 1864, to August 10, 1865 (1 year 7 months and 9 days), and is now a pensioner under the act of July 14, 1862, at \$12 per

month on account of piles, and resulting ulceration of rectum, and rheumatism.

Address, 107 Third Street, Lawton, Okla.

Board of surgeons, May 4, 1910, found rheumatism, gastritis, and cystitis, and rated at \$30 a month.

Medical testimony is that applicant has chronic indigestion, complicated with intestinal fermentation, is also chronically constipated, has numbness of lower extremities and impaired vision, and is unable to do manual labor.

The county clerk states that the applicant is not assessed for any personal property, but is assessed for real property in the amount of \$1,960. Lay evidence shows that from this property pensioner receives \$150 rent per year, but after paying taxes, repairs, etc., his net income is \$76.50.

An increase to \$30 is warranted.

H. R. 18694. Moses G. Lewis, aged 71 years, served as a private and sergeant in Company K, Twelfth Regiment Kentucky Volunteer Infantry, from October 20, 1861, to July 11, 1865 (3 years 8 months and 21 days), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$10 per month by reason of rheumatism, disease of heart, nasopharyngeal catarrh, and senile debility.

Address, Sloans Valley, Ky.

Board of surgeons, March 2, 1904, found rheumatism, disease of heart, and catarrh.

Medical testimony is that applicant has rupture on the left side and liver and kidney troubles and is unable to do manual labor.

Other testimony is that applicant has no source of income but his pension.

An increase to \$30 a month is recommended.

H. R. 18799. John P. Hearn, aged 69 years, served as a private in Company K, Eighty-third Regiment Ohio Volunteer Infantry, and in One hundred and fifth Company, Second Battalion, Volunteer Relief Corps, from August 17, 1862, to August 26, 1865 (3 years and 9 days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of July 14, 1862, at \$8 per month by reason of injury to right arm and chronic diarrhea.

Address, 2079 West Broad Street, Columbus, Ohio.

Board of surgeons, December 7, 1910, found chronic diarrhea.

Medical testimony is that applicant has a very weak heart and weak eyes; has enlarged joints of both hands, with partial ankylosis of metacarpal phalangeal articulation of both extremities; partial ankylosis of left elbow; has catarrh of head and general breaking down of entire system; is unable to do manual labor.

Other testimony is that applicant has no income but his pension and no property.

An increase to \$30 a month is recommended.

H. R. 18987. William Kreighbaum, aged 71 years, served as a private in Company K, Forty-sixth Regiment Indiana Volunteer Infantry, from October 17, 1861, to September 4, 1865 (3 years 10

months and 17 days), and is now a pensioner under the act of July 14, 1862, at \$12 per month on account of disease of eyes.

Address, Akron, Ind.

Board of surgeons, July 22, 1911, found no rating.

It appears from the evidence that the applicant, by reason of disease of the eyes, chronic bronchitis, and chronic articular rheumatism, is unable to do manual labor.

The Member introducing the bill states that the applicant has no property and no income but his pension.

An increase to \$30 a month is recommended.

H. R. 19020. George Crider, aged 70 years, served as a private in Companies N and I, First Regiment West Virginia Volunteer Cavalry, from October 18, 1861, to July 8, 1865 (3 years 8 months and 20 days), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of injury to head, disease of lungs and spine, and disease of heart.

Address, 3357 Franklin Street, Bellaire, Ohio.

Board of surgeons, January 28, 1891, found pensioned causes and debility.

Medical testimony is that applicant has heart disease, lung trouble, and liver trouble; is unable to do manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$30 a month is recommended.

H. R. 19396. Frederick W. Houghton, aged 66 years, served as a private in Company D, Twenty-first Regiment Massachusetts Volunteer Infantry, from March 18, 1864, to July 12, 1865 (1 year 3 months and 24 days), and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of disease of heart, varicocele, double inguinal hernia (incomplete).

Address, Fitchburg, Mass.

Board of surgeons, August 9, 1893, found right inguinal hernia, large varicocele, varicose veins of both legs, and partial loss of sensation of right arm.

Medical testimony is that applicant has paralysis agitans, valvular disease of the heart, varicocele, and double inguinal hernia (incomplete); his general health is bad. It appears that he is unable to do manual labor.

Other testimony is that applicant has no property; his total income is \$22 a month.

An increase to \$30 a month is recommended.

H. R. 19443. James Baccus, aged 68 years, served as a private in Company E, Twelfth Regiment West Virginia Volunteer Infantry, from August 15, 1862, to June 10, 1865 (2 years 9 months and 25 days), and is now a pensioner under the act of July 14, 1862, at \$24 per month on account of gunshot wound of the head, affecting the eyes.

Address, Borland, W. Va.

Board of surgeons, November 26, 1909, found pensioned cause.

Medical testimony is that applicant is totally blind.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$50 a month is recommended, this being a case where applicant had a long and honorable service, and is now in his old age totally blind as the result of being wounded in service.

H. R. 19447. Milton Z. Sims, aged 67 years, served as a quartermaster sergeant in One hundred and sixteenth Regiment Indiana Volunteer Infantry from July 22, 1863, to March 2, 1864 (7 months and 10 days), and is now a pensioner under the act of February 6, 1907, at \$12 per month.

He was formerly pensioned under the act of June 27, 1890, at \$6 per month by reason of rheumatism and resulting disease of heart.

Address, 2569 Monroe Avenue, Ogden, Utah.

Board of surgeons, June 26, 1901, found rheumatism, disease of heart, and premature senility.

Applicant states that he has a home, appraised at \$2,310; has \$350 in money and \$14.50 per month from rental of house. Also has a pension of \$12 per month.

Medical testimony is that applicant has arteriosclerosis and mitral regurgitation, arcus senilis, and general atrophy of muscles: is unable to do manual labor.

An increase to \$20 a month is recommended.

H. R. 19449. Theron E. Foster, aged 71 years, served as a private in Company H, Fifteenth Regiment New York Volunteer Engineers, from September 7, 1864, to June 13, 1865 (nine months and six days), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$8 per month by reason of rheumatism.

Address, 4222 East Madison Street, Seattle, Wash.

Board of surgeons, August 31, 1904, found senility, disease of eyes, rheumatism, lumbago, deafness, disease of heart, and enlarged prostate and piles.

Medical testimony is that applicant has general arteriosclerosis: his left arm and leg are partially paralyzed; has chronic eversion of the lower lids of his eyes; has chronic constipation and urinary troubles; is unable to do manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$24 a month is recommended.

H. R. 19506. Alice Carleton, aged 47 years, is the helpless and dependent child of Daniel W. Carleton, who served as a private in Company A, Nineteenth Regiment Massachusetts Infantry, from July 26, 1861, to October 27, 1862 (one year and three months).

Soldier never applied for pension: he died April 15, 1876. Applicant's mother, the soldier's wife, died prior to his death. The applicant was born May 28, 1864.

She applied for pension May 1, 1891, which was rejected on the ground of no title, as she was over 16 years old at date of passage of the act of June 27, 1890.

Mrs. Angeline Hoyt declares that applicant became totally blind two years after her father's death; that he left no property, and applicant had a home with declarant until 1896.

Other witnesses say she became blind when 13 years old; that soldier left no property.

A rate of \$12 is recommended.

H. R. 19584. William H. Zimmerman, aged 67 years, served as a private in Company C, One hundred and twenty-eighth Regiment Ohio Volunteer Infantry, from August 2, 1862, to June 5, 1865 (2 years 10 months and 3 days), and is now a pensioner under the act of July 14, 1862, at \$12 per month on account of disease of feet and varicose veins of both legs.

Address, Medina, Ohio.

Board of surgeons, November 8, 1911, found varicose veins of legs and valvular disease of heart.

Medical testimony is that applicant has varicosities of the lower extremities, chronic articular rheumatism of both knee joints, hypertrophy, enlargement and downward displacement of the heart, and valvular disease of that organ; chronic indigestion and constipation; is unable to do manual labor.

Other testimony is that applicant has no real property; has personal property of the value of \$2,000, and no income but his pension.

An increase to \$30 is recommended.

H. R. 19585. Henry L. Pitcher, aged 67 years, served as a private in Company F, Forty-eighth Regiment Illinois Volunteer Infantry, from October 14, 1864, to July 5, 1865 (8 months and 21 days), and is now a pensioner under the act of July 14, 1862, at \$17 per month on account of chronic diarrhea and resulting disease of rectum, and disease of back.

Address, 135 Grant Street, Painesville, Ohio.

Board of surgeons, December 14, 1910, found chronic diarrhea, disease of rectum, back, and kidneys, and rated at \$24 a month.

Medical testimony is that applicant suffers from hemorrhages of the kidneys and is unable to do manual labor. The applicant's condition, as disclosed by the evidence, is a very serious one, meriting the sympathy of the committee.

Other testimony is that applicant has no personal property, but has a home mortgaged for what it would bring under a foreclosure. It appears that he has no income but his pension.

An increase to \$30 a month is recommended.

H. R. 19628. Samuel Wells, aged 67 years, served as a private in Company D, Second Regiment United States Infantry, from February 4, 1865, to February 4, 1868 (less than a year in Civil War), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$8 per month by reason of disease of heart and lungs.

Address, Orting, Wash.

Board of surgeons, November 8, 1905, found rheumatism and disease of heart.

Medical testimony is that applicant has chronic diabetes and is totally disabled. Lay testimony is to the effect that he is in destitute circumstances, with only his pension as an income.

An increase to \$24 is recommended.

H. R. 19696. Chesley Goldsby, aged 66 years, served as a private in Companies A and B, Eighteenth Regiment Illinois Volunteer Infantry, from April 8 to December 16, 1865 (eight months and eight days), and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of asthma and rheumatism.

Address not given.

Board of surgeons, November 11, 1896, found pensioned causes; also injury to ankle.

Medical testimony is that applicant has enlarged heart, with leak in the mitral valve; has hardening of the arteries; has hypertrophy of the prostate gland; has right inguinal hernia; has hemorrhoids. It appears that he has very labored breathing. It also appears that he is unable to do manual labor.

Other testimony is that applicant has no property. He has a pension of \$12 a month.

An increase to \$24 a month is recommended.

H. R. 19943. Henry W. Eno, aged 68 years, served as a sergeant in Company K, One hundred and sixteenth Regiment New York Volunteer Infantry, from August 27, 1862, to June 8, 1865 (2 years 9 months and 11 days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$8 per month by reason of nasopharyngeal catarrh, slight deafness of right ear, and severe deafness of left ear.

Address, Anacostia, D. C.

Board of surgeons, December 14, 1898, found disease of heart, lumbago, and nasopharyngeal catarrh.

Medical testimony is that applicant has impaired hearing, suffers from attacks of vertigo, and has poor eyesight; is unable to do manual labor.

Other testimony is that applicant has no real estate and that his personal property is valued at \$90. His annual income from all sources is \$254.

An increase to \$30 a month is recommended.

H. R. 20022. John M. Potts, aged 76 years, served as a private and sergeant in Company D, Eightieth Regiment Ohio Volunteer Infantry, from December 9, 1861, to August 13, 1865 (three years eight months and four days), and is now a pensioner under the act of February 6, 1907, at \$20 per month.

He was formerly pensioned under the act of July 14, 1862, at \$17 per month by reason of chronic diarrhea and resulting disease of bowels and piles.

Address, Harlem Springs, Ohio.

Board of surgeons, September 15, 1909, found disease of bowels and chronic diarrhea and that applicant "requires the regular and personal aid and attendance of another person and is entitled to \$72 per month."

Medical testimony is that applicant has chronic diarrhea and piles, and also has epilepsy; is unable to care for himself and requires a constant attendant.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$40 a month is recommended.

H. R. 20038. John Howard, aged 68 years, served as a private and corporal in Company C, Second Regiment New York Volunteer Mounted Rifles, from January 5, 1864, to August 10, 1865 (one year seven months and five days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of July 14, 1862, at \$6 per month by reason of gunshot wound of left hand.

Address, 225 Miller Street, North Tonawanda, N. Y.

Board of surgeons, May 10, 1905, found rheumatism, senile heart, hemorrhoids, and wounds of left hand.

Medical testimony is that applicant, by reason of sciatic rheumatism, is unable to do manual labor.

Other testimony is that applicant is destitute.

An increase to \$30 a month is recommended.

H. R. 20068. Anna Smith, aged 58 years, is the widow of Francis B. Smith, who served as a first lieutenant in Company L, Fifth Regiment New York Heavy Artillery, from September 28, 1861, to December 17, 1864 (three years two months). Soldier never applied for pension; he died March 6, 1881. He and applicant were married February 13, 1872.

Dr. A. Sweeney testifies that in July, 1906, he was called to attend for a stroke of apoplexy which had paralyzed her entire right side; her right arm is yet useless and the right leg only partially useful, and is unable to earn a living; this is corroborated by Dr. Ritchie.

Her address is Soldiers' Home, Minn.

Lay testimony shows she owns no real or personal property, is in needy circumstances, and her only support is her pension of \$12 a month.

An increase of her present pension of \$12 a month to \$20 is recommended. She was pensioned at \$8 from March 5, 1892, and now receives \$12.

H. R. 20244. Andrew G. Friend, aged 72 years, served as a private in Companies I and B, Second Regiment Potomac Home Brigade Maryland Volunteer Infantry, from October 20, 1861, to May 29, 1865 (three years seven months nine days), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$10 per month by reason of rheumatism and disease of heart and lungs.

Was formerly pensioned under the act of July 14, 1862, at \$6 per month for rheumatism and resulting disease of heart.

Address, Swanton, Md.

Board of surgeons, October 25, 1911, found paralysis and rheumatism, and rated at \$24 per month.

Medical testimony is that applicant has reached a condition where he is unable to do manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$30 a month is recommended.

H. R. 20848. William F. McLean, aged 62 years, served as a private in Company I, Nineteenth Regiment Kansas Cavalry, from October 26, 1868, to April 14, 1869 (5½ months), and is not now a pensioner.

Claimant's address, Fort Smith, Ark. He alleges frosted feet as a cause for inability to work, and he has no property or income.

The War Department report shows that soldier was treated in field hospital and in post hospital in December, 1868, and January, 1869, for "frostbite."

Lay testimony shows that soldier has had trouble with his feet ever since discharge from the Army. Medical testimony for several years past shows soldier has been disabled by reason of said frost-bitten condition of feet.

On March 1, 1910, the board of surgeons at Fort Smith, Ark. shows soldier to be a sufferer with heart disease, loss of left eye (due to accidental gunshot wound), cataract of right eye, disease of liver. Has "hammertoe"—second toe of each foot, deformed toenails of all toes of both feet, general anesthesia, gait unsteady, contraction of flexor tendons of all toes (except large toes) of both feet.

A rating of \$20 per month is recommended.

H. R. 20853. Thomas Tigue, alias Thomas Tobin, aged 65 years, served as a private in Company C. Twenty-second Regiment New York Volunteer Cavalry, from April 1, 1865, to August 1, 1865 (4 months), and is now a pensioner under the act of June 27, 1890, at \$6 per month on account of rheumatism and general debility.

Address, 463 East Utica Street, Buffalo, N. Y.

Board of surgeons, September 13, 1899, found pensioned causes and catarrh.

Medical testimony is that applicant, by reason of rheumatism and bronchial asthma, is unable to do manual labor.

Other testimony is that applicant depends upon the earnings of his children for a support.

An increase to \$20 a month is recommended.

H. R. 20882. Wilt Rippey, aged 71 years, served as a second lieutenant in Company F, Sixty-first Regiment Pennsylvania Volunteer Infantry, from February 1, 1861, to December 25, 1862 (1 year 10 months and 24 days), and is now a pensioner under the act of July 14, 1862, at \$17 per month, on account of gunshot wound of head and resulting nearly total deafness of left ear.

Address, Allison Park, Pa.

Board of surgeons (August 24, 1911) found pensioned causes.

Medical testimony is that applicant's hearing is almost totally gone or destroyed, and he suffers the ailments incident to old age. Is unable to do manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$36 a month is recommended.

H. R. 20914. William H. Whitson, aged 64 years, served as a private in Company K, One hundred and thirty-seventh Regiment Illinois Infantry, from May 7, 1864, to September 24, 1864 (four and one-half months), and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of chronic diarrhea, disease of rectum, and anemia.

Address, Soldiers and Sailors' Home, Quincy, Ill.

The pensioned disabilities were shown by medical examination, December 10, 1890. Dr. C. E. Ehle, March 30, 1912, reports that

soldier is afflicted with right hemiplegia which disables him for manual labor.

Pensioner and two comrades say he is not able to do any work, that he does not own any property, real or personal; and no income other than his pension of \$12 a month.

An increase to \$20 is recommended.

H. R. 20915. Mary Mullen, aged 60 years, former widow of James Ellis, who served as a private in Company B, Ninetieth Regiment New York Infantry, from August 15, 1861, to May 25, 1865.

Her post-office address is No. 439 Adelphi Street, Brooklyn, N. Y.

Applicant was married to the soldier September 5, 1864, and lived with him until his death, January 12, 1891, a period of 26 years. She was pensioned as his widow under the act of June 27, 1890, at \$8 per month, which ceased June 2, 1897, by reason of her marriage on that date to Patrick Mullen, a second-class fireman, who served during the Civil War in the United States Navy, and who was himself pensioned under act of June 27, 1890. He died September 5, 1905.

Having married Patrick Mullen subsequent to June 27, 1890, she has no pensionable status as his widow under the act of June 27, 1890, or under the act of April 19, 1908.

As her first husband, James Ellis, died of tuberculosis of the lungs, and her second husband, Patrick Mullen, died of cirrhosis of the liver, in neither case could the death cause be traced to a service origin, hence the applicant could not acquire title through the general law.

Having been the wife of the soldier, Ellis, during his period of service, and having lost her pension as his widow by her remarriage to a sailor of the Civil War, now being again a widow and so poor that Dr. G. A. Ostrander declares that she is suffering from chronic bronchitis, chronic indigestion, varicose veins, and edema of feet and legs, indicating senility; this debility and her poverty will increase.

Pensioner and two neighbors testify that when her two floors are rented she receives \$21 a month; that there is a mortgage of \$1,000 on her house. The interest of said mortgage, \$50, taxes, insurance, and repairs must come out of the rent, what is left constitutes her only support.

Her age, helplessness, poverty, and being a war widow, allow a pension of \$12 a month.

H. R. 20958. Charles Lakin, aged 63 years, served as a private in Company F, Second Regiment Iowa Volunteer Cavalry, from January 4, 1864, to August 25, 1865 (1 year 7 months and 21 days), and is now a pensioner under the act of June 27, 1890, at \$12 per month for catarrh, enlarged prostate, piles, disease of left leg, and right inguinal hernia.

He was formerly pensioned under the act of July 14, 1862, at \$6 per month by reason of fever sore of left leg.

Address, Greenacres, Wash.

Board of surgeons, November 17, 1909, found pensioned causes.

Medical testimony is that applicant has double inguinal hernia and internal hemorrhoids; is unable to do manual labor.

From the evidence it appears that the applicant's home constitutes practically all of his property. He has a pension of \$12 a month.

An increase to \$30 a month is recommended.

H. R. 21009. Robert Crow, aged 64 years, served as a private in Company I, Twenty-fifth Regiment Ohio Infantry, from February 22, 1864, to June 18, 1866 (two years and four months), and is now a pensioner under the act of July 14, 1862, at \$17 per month on account of hemorrhoids.

Address, 212 Prospect Avenue, Cleveland, Ohio.

Medical examination, June 14, 1911, shows hemorrhoids, enlarged prostate, and varicose veins.

Dr. F. L. Henry, February 15, 1912, finds chronic gastric catarrh, hemorrhoids, left inguinal hernia, enlarged prostate, and varicose veins.

Lay testimony shows that pensioner has no real estate or income-bearing property—no support but his pension. He is unable to do manual labor.

An increase to \$30 is recommended.

H. R. 21015. Alexander Chisholm, aged 65 years, served as a sergeant in Company K, One hundred and sixteenth Regiment Pennsylvania Volunteer Infantry, from February 29, 1864, to July 14, 1865 (1 year 4 months and 15 days), and is now a pensioner under the act of July 14, 1862, at \$12 per month on account of rheumatism and resulting disease of heart.

Address, Uniontown, Pa.

Board of surgeons, June 28, 1911, found rheumatism, varicose veins of left leg, slight arteriosclerosis, enlarged prostate, and chronic prostatitis.

Medical testimony is that applicant, due to heart trouble, rheumatism, and chronic inefficiency of the kidneys, is unable to do manual labor.

It appears from the testimony that the applicant is poor and has no income but his pension.

An increase to \$30 a month is recommended.

H. R. 21022. Ernest Buse, aged 68 years, served as a private in Company G, One hundred and sixteenth Regiment New York Volunteer Infantry, from August 29, 1862, to June 8, 1865 (two years nine months and nine days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$8 per month by reason of rheumatism, injury of right ankle, and disease of stomach.

He was formerly pensioned under the act of July 14, 1862, at \$6 per month for rheumatism.

Address, 933 Smith Street, Buffalo, N. Y.

Board of surgeons, November 2, 1904, found pensioned causes and catarrh of pharynx.

Medical testimony is that applicant is thin, quite emaciated, heart somewhat weak, natural decline, due to age.

Other testimony is that applicant is dependent upon his pension for a support.

An increase to \$30 a month is recommended.

H. R. 21035. Lucy Roser, aged 85, widow of John F. Roser, who served as a sergeant in Company B, One hundred and tenth Regiment Ohio Volunteer Infantry, from August 7, 1862, to October 24, 1864, when he died of wounds received in action. His widow is now a pensioner under the act of July 14, 1862, at \$12 per month on account of his death in line of duty.

She was first pensioned with five minor children. She and soldier were married October 24, 1846.

Address, Arcanum, Ohio.

Dr. Ira H. Hawes testifies that he is applicant's physician, and for the past 17 years she has been afflicted with paralysis of one side of her body, and she is gradually losing her eyesight and is almost totally blind. Her condition is such that it requires some one to be with her all the time.

Pensioner and two neighbors testify that she has no property and no money except her pension of \$12 a month. She is wholly dependent upon her relatives for care and support.

A "war widow," very old, helpless, and destitute, an increase to \$20 a month is justified.

H. R. 21163. Jeremiah Creamer, aged 79 years, served as a private in Company G, One hundred and forty-third Regiment New York Volunteer Infantry, from August 22, 1862, to July 20, 1865 (2 years 10 months and 28 days), and is now a pensioner under the act of February 6, 1907, at \$20 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of total inability to earn a support by manual labor.

Address, Columbia, N. J.

Board of surgeons, July 29, 1891, found rheumatism and resulting heart disease and varicose veins.

Medical testimony is that applicant has his left hand so contracted that he can take hold of nothing; also has varicose veins; is unable to do manual labor.

Two neighbors testify that pensioner has no real estate or personal property and that the only means of support is his pension.

An increase to \$30 a month is recommended.

H. R. 21176. Simon Schweigert, aged 85 years, served as a corporal in Fourth Independent Battery, Indiana Volunteer Light Artillery, from September 7, 1861, to February 6, 1863 (1 year 4 months and 29 days), and is now a pensioner under the act of July 14, 1862, at \$24 per month for a gunshot wound of left shoulder and resulting disease of heart.

He was formerly pensioned under the act of February 6, 1907, at \$20 per month by reason of age.

Address, Harrison, Ohio.

Board of surgeons, July 19, 1911, found pensioned causes and rated at \$30 per month.

Medical testimony is that applicant, by reason of pensioned causes, is unable to do manual labor.

Other testimony is that applicant has no means of support but his pension.

An increase to \$36 a month is recommended.

H. R. 21265. Washington W. Edgington, aged 72 years, served as a sergeant in Company B, Twenty-fourth Regiment Iowa Volunteer Infantry, from August 2, 1862, to July 17, 1865 (2 years and 11½ months), and is now a pensioner under the act of July 14, 1862, at \$17 per month on account of chronic rheumatism and resulting disease of heart; this rate was the result of a medical examination of the date of December 20, 1911, which closed with the statement by the board that pensioner is totally disqualified for the performance of manual labor.

Address, Waterloo, Iowa.

Dr. H. W. Brown testifies that pensioner is physically very weak and his eyesight very poor.

Two neighbors testify he has no income aside from his pension and that he is infirm in health.

The Member introducing this bill has known soldier personally practically all his life; that pensioner has no means of support whatever; is feeble in health; and not able to earn a living.

A long and honorable service in which he reached the grade of second lieutenant, now old, helpless, and destitute, warrants an increase to \$36 a month.

H. R. 21459. John W. Towner, aged 65 years, served as a private in Companies I and C, Tenth Regiment Illinois Cavalry, from February 13, 1864, to November 22, 1865 (one year and nine months), and is now a pensioner under the act of July 14, 1862, at \$30 per month on account of affection of lungs and eyes, following measles, and injury of back.

Address, Bloomington, Ill.

Medical examination, January 29, 1912, reveals only the pensioned causes.

On this examination the Bureau of Pensions denied an increase.

Pensioner swears that he has no real estate or personal property whatever and that he and his wife depend entirely upon his pension for sustenance, and that during the last winter he was compelled to call upon his Grand Army of the Republic post for help. He is a renter.

This is corroborated by two comrades and also by the Member introducing the bill, who adds that he needs an attendant whenever he goes away from home.

An increase to \$40 is recommended.

H. R. 21462. William J. Hammond, aged 72 years, served as a private in Company B, Eighth Regiment Michigan Volunteer Infantry, from August 11, 1862, to June 9, 1865 (2 years 9 months and 28 days), and is now a pensioner under the act of July 14, 1862, at \$17 per month on account of disease of heart and injury to sternum.

Address, 144 Adams Street, Grand Rapids, Mich.

Board of surgeons, October 14, 1908, found pensioned causes and also chronic bronchitis and loss of teeth and resulting dyspepsia.

Medical testimony is that applicant has mitral insufficiency of the heart and chronic bronchitis. It appears that he is unable to do manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$36 a month is recommended.

H. R. 21467. George B. Griffin, aged 67 years, served as a private in Company C, Seventh Regiment Michigan Volunteer Cavalry, from February 6, 1865, to December 15, 1865 (10 months and 9 days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$10 per month by reason of rheumatism, disease of heart and rectum, enlarged liver and spleen, and senile debility.

Address, Holland, Mich.

Board of surgeons, November 7, 1906, found rheumatism, disease of heart and rectum, enlarged liver and spleen.

Medical testimony is that applicant has kidney trouble and cystitis, rheumatism, piles, disease of heart. It appears that applicant is unable to do manual labor.

Other testimony is that applicant has no real estate, and, of personal property, only household goods and wearing apparel of the value of \$400, and that his income, including his pension, is about \$175 a year.

An increase to \$24 a month is recommended.

H. R. 21468. John P. Schoeni, aged 66 years, served as a private in Company B, Twenty-third Regiment Ohio Volunteer Infantry, from January 5, 1864, to May 15, 1865 (1 year 4 months and 10 days), and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of left varicocele, loss of teeth, and disease of gums, and rheumatism.

Was formerly pensioned under the act of July 14, 1862, at \$4 per month for left varicocele.

Address, Hubbardston, Mich.

Board of surgeons, March 11, 1896, found left varicocele, loss of teeth, disease of heart, disease of gums, and scurvy, rheumatism, and bronchitis.

Medical testimony is that applicant has left varicocele, chronic rheumatism, hernia, paralysis agitans, disease of gums, and loss of teeth; is unable to do manual labor.

Other testimony is that applicant has a house and lot of the value of \$350 and no other property; it appears that his income is his pension.

An increase to \$30 a month is recommended.

H. R. 21513. Joseph Hampton, aged 80 years, served as a private in Company E, One hundred and twenty-fourth Regiment Pennsylvania Volunteer Infantry, from July 28, 1862, to May 16, 1863, and in Company D, Two hundred and third Regiment Pennsylvania Volunteer Infantry, from August 30, 1864, to June 22, 1865 (total service 1 year 7 months and 10 days), and is now a pensioner under the act of February 6, 1907, at \$20 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of injury of left side and disease of heart.

Address, 1700 Pennsylvania Avenue, Wilmington, Del.

Board of surgeons, April 8, 1891, found injury received in service, tumor, and disease of heart.

Medical testimony is that applicant is so feeble as to be unable to do manual labor. He is 80 years old.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$30 a month is recommended.

H. R. 21566. Michael Kennedy, aged 85 years, served as a private in Company E, Twenty-ninth Regiment Wisconsin Volunteer Infantry, from August 15, 1862, to June 30, 1864 (22½ months), and is now a pensioner under the act of February 6, 1907, at \$20 per month.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of fistula in ano and hemorrhoids.

He was originally pensioned under the act of July 14, 1862, at \$5.33½ per month for the causes named.

His post-office address is West De Pere, Wis.

He now alleges that he is helpless by reason of blindness, fistula, piles, and old age; and that he has no other income than his pension.

Medical and lay testimony clearly show that soldier is helpless and unable to care for himself, on account of heart disease, blindness, old age, and the causes for which formerly pensioned. He is also shown to be destitute.

The last medical examination by a board was at Green Bay, Wis., on January 17, 1906. Soldier was then suffering with fistula, piles, eczema, evidences of diarrhea (which alternates with constipation). No examination of eyes was made.

The soldier's age, his long and honorable service, his enfeebled condition, and the gravity of his disabilities, justify a rating of \$36 per month.

H. R. 21568. James Meikle, aged 70 years, served as a seaman on U. S. S. *Clara Dolson*, *Avenger*, and *Great Western*, United States Navy, from March 3, 1864, to March 11, 1865 (1 year and 8 days), and is now a pensioner under the act of June 27, 1890, at \$12 per month, for indigestion, disease of lungs and heart, and senile debility.

Address, Sturgeon Bay, Wis.

Board of surgeons, January 18, 1905, found disease of stomach and liver, indigestion, constipation, slight edema of lungs, dilatation of heart, nervousness, and age.

Medical testimony is that applicant has chronic gastritis, chronic bronchitis, a very weak heart, and paralysis agitans, and is unable to do manual labor.

Other testimony is that applicant has 40 acres of land, valued at \$1,600, and a pension of \$12 per month.

An increase to \$30 is allowed.

H. R. 21584. Ezra Salter, aged 65 years, served as a private in Company C, Seventh Regiment Iowa Volunteer Cavalry, from April 4, 1864, to May 17, 1866 (2 years 1 month and 13 days), and is now a pensioner under the act of June 27, 1890, at \$12 per month, for gunshot wound of left shoulder, rheumatism, and disease of eyes and digestive organs.

He was formerly pensioned under the act of July 14, 1862, at \$6 per month by reason of gunshot wound of left shoulder, with fracture of left clavicle.

Address, Centerville, Iowa.

Board of surgeons, February 10, 1892, found disease of stomach and indigestion, disease of eyes, rheumatism, and gunshot wound.

Neighbors' testimony is that applicant has no property, is in destitute circumstances, with no income but his pension.

Medical testimony is that applicant has chronic bronchitis and emphysema; has an enlarged and weak heart; has rheumatic tenderness, with marked disease of the eyes; is unable to do manual labor.

An increase to \$36 a month is recommended.

H. R. 21607. Barney L. Starin, aged 72 years, served as a private in Ninth Independent Battery, Ohio Volunteer Light Artillery, from October 11, 1861, to July 25, 1865 (3 years 9 months and 14 days), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of July 14, 1862, at \$14 per month by reason of disease of right side of back, result of typhoid fever.

Address, Burton, Ohio.

Board of surgeons, May 16, 1906, found pensioned cause.

Medical testimony is that applicant has left lateral curvature of spine; has hypertrophy of heart, with dilatation and mitral systolic murmur; has enlarged prostate gland and catarrh of bladder; is unable to do manual labor.

Other testimony is that applicant has no property but his household goods, and no income but his pension.

An increase to \$36 a month is recommended.

H. R. 21686. Othello A. Sherman, aged 66 years, served as a private in Company F, Twenty-eighth Regiment Michigan Volunteer Infantry, from September 9, 1864, to June 5, 1866 (1 year 8 months and 26 days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$10 per month by reason of injury to left leg, left inguinal hernia, disease of mouth, and loss of teeth from scurvy, and disease of stomach.

Address, Hutchinson, Kans.

Board of surgeons, August 1, 1906, found rheumatism, hernia, and injury to ankle.

Medical testimony is that applicant suffers from injury to left leg; the leg is now a suppurating mass from his thigh to the end of his toes; the bones of the leg are necrosed. He is totally disabled and requires a constant attendant.

The applicant owns personal property worth about \$60. His income is his pension.

An increase to \$30 a month is recommended.

H. R. 21780. Susan E. Bruman, aged 71 years, is the widow of Albert H. Bruman, who served as a sergeant in Company H, Fifteenth Regiment Veteran Reserve Corps, from December 9, 1861, to October 3, 1862; July 7, 1863, to September 13, 1865, and May 2, 1865, to October 10, 1866 (five years and one month).

Soldier was pensioned under the general law at \$4 for right inguinal hernia. He died December 12, 1893. He and applicant were married March 5, 1863. She was pensioned from August 11, 1900, at \$8 a month under act of June 27, 1890. She now receives \$12 a month.

Testimony filed shows she is taken care of by her children, being old and not having a home, that she never had any property, and her only income is her pension.

Applicant was married to the soldier while he was in the service. She is now old and a charge upon her children.

As some measure of relief, an increase to \$20 a month is recommended.

H. R. 21810. Merida Wilson, aged 67 years, served as a private in Company G, Thirty-seventh Regiment Kentucky Mounted Volunteer Infantry, from August 16, 1863, to June 20, 1864 (10 months), and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of injury of feet, frostbite, and partial paralysis.

His post-office address is Gradyville, Ky.

The soldier alleges he has no income other than pension.

Medical testimony shows evidences of former frostbite, indicated by tenderness of both feet, ankylosis of nearly all the toe joints, contraction of tendons; also paralysis of left leg, atrophy of all muscles of left leg, motions of the leg controlled by muscles of the hip; also rheumatism, affecting nearly all the joints of body; also pterygium of left eye; also severe deafness of left ear. Total incapacity for any manual labor.

Lay testimony shows destitution of claimant and inability to perform labor.

As a result of a special examination of the case made by an examiner of the Pension Bureau, it was determined that soldier's crippled condition of left leg was due to an injury sustained during childhood of the claimant.

During service soldier was treated for paralysis of left leg and frozen foot. The preexisting disability of left leg and foot no doubt rendered the effects of frostbite more serious than they otherwise would have been.

The last medical examination by a board, dated Jamestown, Ky., June 30, 1897, shows paralysis of left side and leg; left foot 2 inches shorter than right foot; tenderness in lumbar and dorsal vertebrae; also rheumatism of right hip and knee; also catarrh; loss of sight of left eye; rectum tender; slight prolapsus.

We believe the physical and financial conditions of the claimant are such as to justify an increase of his pension. All his ailments are not due to military service, but we believe a rating of \$24 per month can be granted for such disability as can be accepted as of service origin.

H. R. 21833. William E. McKee, aged 64 years, served as a private in Company F, Thirteenth Regiment Maryland Volunteer Infantry, from February 28, 1864, to May 29, 1865 (1 year 3 months and 1 day), and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of injury to both elbow joints.

Address, Martinsburg, W. Va.

Board of surgeons, July 15, 1891, found pensioned cause.

Medical testimony is that applicant suffers from result of pensioned cause; it appears that he is unable to do manual labor.

From the testimony it appears that applicant has no property and no income but his pension.

An increase to \$30 a month is recommended.

H. R. 21865. Simpson Robinson, aged 71 years, served as a private in Company F, Thirteenth Regiment Ohio Volunteer Infantry, from April 25 1861, to August 25, 1861, and in Company E, Eighty-sixth Regiment Ohio Volunteer Infantry, from June 3, 1862, to September 25, 1862 (total service 7 months and 22 days), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of locomotor ataxia.

Address, The Chicago Home for Incurables, Chicago, Ill.

Board of surgeons, January 14, 1892, found pensioned cause.

Medical testimony is that applicant was admitted to the Chicago Home for Incurables February 10, 1911; he is incurable—suffering with locomotor ataxia.

Other testimony shows that the applicant has no property and no income but his pension.

This soldier served in two different organizations; while his total service was not long in duration, yet it was in all respects creditable to him. His condition, as a victim of locomotor ataxia, is deplorable, in that he endures a living death, and this condition is shown by the board of surgeons, of January 14, 1892, to have existed over 20 years and may last for years to come.

In view of the soldier's honorable service in two organizations, his age, 71 years, and his grievous disability, an increase to \$30 a month is recommended by the committee.

H. R. 21879. Albert S. Tracy, aged 69 years, served as a corporal in Company B, Fourth Regiment Iowa Volunteer Cavalry, from October 30, 1861, to August 8, 1865 (3 years 9 months and 8 days), and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of dislocation of left hip, rheumatism, disease of heart, and senile debility.

Address, Ridgway, Colo.

Board of surgeons, February 18, 1903, found rheumatism, disease of heart, dislocation of left hip, and physically broken down.

Medical testimony is that applicant has rheumatism, lumbago; has contractions in both hands; has attacks of inflammatory rheumatism; has mitral insufficiency of heart; has chronic cystitis; has an old dislocation of left hip; has senility; is unable to do manual labor.

The applicant states that he has no property but a small farm, the income from which does not pay the interest on the incumbrance and taxes.

An increase to \$30 a month is recommended.

H. R. 21944. Clinton Black, aged 72 years, served as a private in Company D, Eighty-fifth Regiment Illinois Volunteer Infantry, from August 1, 1862, to November 18, 1864 (2 years 3 months and 17 days), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age. Discharged on soldier's certificate of disability.

He was formerly pensioned under the act of July 14, 1862, at \$12 per month by reason of gunshot wound of right leg.

Address, Kingman, Kans.

Board of surgeons, February 5, 1908, found pensioned cause and also disease of heart and rated at \$24 per month.

Medical testimony is that applicant has rupture on the left side, gunshot wound of right leg, causing lameness, and piles, and is unable to do manual labor.

Other testimony is that the applicant's property consists of his home, worth about \$1,500, and that his income is his pension.

An increase to \$36 a month is recommended.

H. R. 21982. Franklin B. Detwiler, aged 68 years, served as a private and musician in Company A, Fifty-third Regiment Pennsylvania Volunteer Infantry, from August 19, 1861, to June 30, 1865 (3 years 10 months and 11 days), and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of rheumatism, disease of rectum, and loss of left thumb.

Address, Pottstown, Pa.

Board of surgeons, January 16, 1891, found rheumatism and loss of thumb.

Medical testimony is that applicant has hemorrhoids, kidney trouble, heart weakness, rheumatism, and hernia, and is unable to do manual labor. Has also chronic interstitial nephritis.

From the testimony it appears that he has no means of support but his pension.

An increase to \$30 a month is recommended.

H. R. 21985. James R. Hewlett, aged 67 years, served as a landsman on U. S. S. *Rattler* and *Great Western*, United States Navy, from August 24, 1863, to October 4, 1864 (1 year 1 month and 10 days), and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of injury to right arm and hand and asthma.

Address, 637 Milwaukee Avenue, Chicago, Ill.

Board of surgeons, March 4, 1891, found pensioned causes.

Medical testimony is that applicant has deformed right hand, and that the arm at the elbow is ankylosed, and the applicant also suffers from asthma; is unable to do manual labor.

Other testimony is that applicant has no property, real, personal, or mixed.

An increase to \$30 a month is recommended.

H. R. 21994. Francis M. Ryder, aged 69 years, served as a musician in Company H, Fifty-fourth Regiment Kentucky Volunteer Mounted Infantry, from September 1, 1864, to September 1, 1865 (1 year), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$8 per month by reason of injury of left leg and disease of throat and rectum.

Address, Butler, Ky.

Board of surgeons, June 1, 1904, found disease of heart.

Medical testimony is that applicant, by reason of a broken leg, has a calloused foot, causing him to be a permanent cripple; also suffers from a chronic disease of the throat; is incapacitated for manual labor.

Other testimony is that applicant has a house and lot, worth from \$650 to \$700, and household furniture of the value of about \$100. He depends upon his pension for a support.

An increase to \$30 a month is recommended.

H. R. 22003. Clara W. Morgan, aged 60 years, is the widow of Charles H. Morgan, who served as a captain in Company H, Twenty-first Regiment Wisconsin Volunteer Infantry, from September 1, 1861, to June 8, 1865 (3 years and 9 months); prior service in Company I, First Wisconsin Volunteer Infantry, April 20, 1861, to August 21, 1861 (3 months); also a Spanish War service as lieutenant colonel of Fifth Missouri Volunteer Infantry from May 4, 1898, to November 9, 1898. Total rebellion service, 4 years; prisoner of war for 18 months.

Soldier was pensioned at \$12 under act of February 6, 1907. He died January 4, 1912. He and applicant were married March 14, 1877. Neither had ever been married before.

She is now pensioned under the act of April 19, 1908, at \$12.

Dr. W. H. Washburn, March 15, 1912, finds applicant suffering from heart disease and arteriosclerosis. Dr. G. D. Atlee certifies that she has defect of mitral valve of heart which is too great for ordinary household duties, and she can not do more than a third of the work the average woman can do.

Neighbors testify that she has no real estate, no personal property other than household goods and the remainder of the life insurance of her husband, amounting to \$475. She has no income other than her pension.

The soldier had a long and an honorable record. At one time he represented his district in Congress.

An increase to \$30 is recommended.

H. R. 22034. Joseph R. Patton, aged 78 years, served as a third-class musician in band, One hundred and sixth Regiment Pennsylvania Volunteer Infantry, from October 7, 1861, to August 8, 1862, and second-class musician in band, First Brigade Pennsylvania Volunteer Reserves, from April 15, 1863, to June 24, 1864 (total service, 2 years and 10 days), and is now a pensioner under the act of February 6, 1907, at \$20 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of disease of liver and heart and senile debility.

Address, Danville, Pa.

Board of surgeons, March 9, 1904, found disease of heart and disability caused by advanced age.

Medical testimony is that applicant has impaired vision and right inguinal hernia and the infirmities of old age; is unable to do manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$30 a month is recommended.

H. R. 22077. Howard Forster, aged 67 years, served as a private in Company E, One hundred and twenty-seventh Regiment Pennsylvania Volunteer Infantry, from August 8, 1862, to May 29, 1863 (9 months and 21 days), and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of paralysis and senile debility.

Address, 611 Bangs Avenue, Asbury Park, N. J.

Board of surgeons, December 13, 1905, found paralysis and general debility.

Medical testimony is that applicant has a tumor of the brain and is unable to do manual labor.

Other testimony shows that applicant has no means of support but his pension, out of which he has to pay house rent.

An increase to \$24 a month is warranted.

H. R. 22093. Adelaide E. Ruton, aged 35 years, is the helpless and dependent child of George N. Ruton, who served as a private in Company G, One hundred and thirty-first Regiment New York Infantry, from September 3, 1862, to May 26, 1865 (2 years and 9 months).

Soldier was never pensioned. He died August 8, 1885. His wife, whom he married September 6, 1865, was pensioned from March 31, 1893, at \$8 per month, until April 19, 1908, when she was increased to \$12; from the allowance of her pension at \$8 she also received \$2 a month on account of her child, Jennie A. Ruton, until the child became 16, February 1, 1896.

The widow died August 30, 1910.

The child, Adelaide E. Ruton, this applicant, was born January 12, 1877.

Dr. G. B. Brown testifies that applicant is markedly emaciated; he has treated her for the past 10 years for epilepsy, which ailment has made her an imbecile; she can not dress herself or comb her hair and has no memory. She is entirely dependent upon charity, having no income. This testimony is corroborated by others as to her destitution. Affiants declare that the applicant became helpless when about 8 years old, and has been in the care of physicians ever since. She has no estate, and has been taken care of by her mother, and since the mother's death by her sister; applicant has no real or personal property.

Following precedent a pension of \$12 may be allowed.

H. R. 22116. William H. Estep, aged 65 years, served as a private in Company H, Thirty-ninth Regiment Kentucky Volunteer Infantry, from July 28, 1863, to September 15, 1865 (2 years 1 month and 17 days), and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of severe deafness, both ears.

Address, Portland, Oreg.

Board of surgeons, December 31, 1890, found pensioned causes.

Medical testimony is that applicant is almost stone deaf; has neuralgia in the head; has hardening of the arteries; and is far advanced in senility. It appears that he is unable to do manual labor.

Other testimony is that applicant has no money or other personal property, has no real property, and has no income but his pension.

An increase to \$30 a month is recommended.

H. R. 22162. Eugene Partridge, aged 71 years, served as a private in Company C, Forty-fourth Regiment New York Volunteer Infantry, from August 20, 1861, to January 31, 1863; and as commissary sergeant and second lieutenant in Company F, Seventy-eighth Regiment United States Colored Volunteer Infantry, from April 8, 1863, to September 11, 1864 (total service, 3 years 2 months and 14 days), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$8 per month by reason of disease of heart, fracture of both wrists, and rheumatism.

Address, 527 Tallman Street, Syracuse, N. Y.

Board of surgeons, September 21, 1904, found rheumatism and fracture of both wrists.

Medical testimony is that applicant has fracture of both wrists, with rupture of the lateral ligaments of the wrists; also has a large direct inguinal hernia which can not be properly reduced; has hypertrophy of the heart; he is unable to do manual labor.

Other testimony is that applicant has no real property, and personal property only in the form of household goods valued at about \$300. His income is his pension.

An increase to \$30 a month is recommended.

H. R. 22212. Mary E. Snider, aged 68 years, is the widow of John Snider, who served in Company K, One hundred and eighty-ninth Ohio Volunteer Infantry, from May 2, 1864, to September 7, 1864, and from February 8, 1865, to September 28, 1865 (11 months and 25 days). Soldier was pensioned under the act of February 6, 1907, at \$20. Was formerly pensioned under act of June 27, 1890, for disease of rectum, rheumatism, varix, both legs, indigestion, and senile debility at \$12 a month, which disabilities were revealed upon medical examination December 7, 1904.

Address, 3309 Mississippi Avenue, Cincinnati, Ohio.

Applicant and soldier were married May 22, 1858, and lived together until April 15, 1892, when they were divorced. Soldier then married another woman, who died during the summer of 1900, whereupon applicant and soldier again remarried on December 24, 1900, and lived together until his death, May 3, 1911.

Dr. J. C. Kunz declares that owing to the infirmities of age applicant is unable to do any manual labor for any length of time. Three neighbors testify that applicant's overwork in nursing her husband the last two years of his life caused a breakdown; that she is poor and destitute, owns no property, and has no income.

She applied for soldier's accrued pension, which was allowed her; but her claim under the act of April 19, 1908, was denied, owing to remarriage to the soldier subsequent to June 27, 1910.

As applicant first married the soldier in 1858, bore him eight children, lived with him as his wife 45 years, took care of him until he died, is now old, worn out, and penniless, a pension of \$12 a month may be granted.

H. R. 22231. Franklin Peters, aged 69 years, served as a private in Company G, Eighth Regiment New York State Militia Infantry, from April 20, 1861, to July 8, 1861 (80 days), and is not now a pensioner under any act.

Applicant was discharged on surgeon's certificate of disability; cause, dysentery.

Address, 138 Market Street, Paterson, N. J.

Soldier's family physician has treated him since 1896 for stricture of urethra, asthma; that he is unable to do manual labor, and has done no work for 10 years.

Two neighbors testify that he has no property of any description, neither real, personal, or mixed; has no investments and no income.

Soldier applied under the general law in 1909, but was rejected; no ratable disability from causes alleged.

Though he served but 80 days, he was discharged for disability; he is now old, helpless, and destitute, and it is an act of mercy to recognize this claim upon his country's bounty by allowing him a pension of \$12 a month.

H. R. 22269. Mary Evans, aged 64 years, is the widow of Taliesen Evans, who served as a private in Company D, One hundred and seventeenth Regiment New York Infantry, from January 9, 1864, to September 1, 1865 (one year and eight months).

Soldier was pensioned under act of June 27, 1890, at \$6 per month from January 27, 1892, and dropped July 24, 1895, not ratably disabled. He died August 10, 1907. He and applicant were married January 13, 1870. She was pensioned at \$8 per month under the same act from October 11, 1907, and at \$12 per month from April 19, 1908.

Address, 32 Undercliff Street, Yonkers, N. Y.

Dr. S. Radcliff deposes that pensioner is afflicted with chronic bronchitis, heart disease, and general debility, and is thereby incapacitated from earning a living.

Pensioner says that her only son, who assisted in her support, died February 4, 1912; that she does not own a home or any real estate; while she and two neighbors state her only income and support is her pension.

As she was soldier's wife for 37 years, is now old and afflicted, depending solely upon her pension, an increase to \$20 per month is proper.

H. R. 22270. Caroline L. Loftus, aged 70 years, is the widow of Frederick Loftus, who served as a hospital steward, United States Army, from September 18, 1862, to September 18, 1865 (three years). She is now a pensioner under the act of June 27, 1890, at \$12 per month.

Soldier never applied for pension. He died June 9, 1893.

He and pensioner were married December 23, 1862.

Dr. F. O. Roman testifies that applicant suffers from muscular pains in her limbs and her eyesight is bad; that she is unable to perform manual labor.

Pensioner and her friends declare she has no home and no property of any description and no income but her pension.

As applicant is a "war widow," is old and destitute, an increase to \$20 per month is allowable.

H. R. 22277. Chester F. Cole, aged 70 years, served as a private in Company E, Fifty-second Regiment Illinois Volunteer Infantry, from October 1, 1861, to July 15, 1865 (3 years 9 months and 14 days), and is now a pensioner under the act of July 14, 1862, at \$17 per month for rheumatism and piles.

He was formerly pensioned under the act of June 27, 1890, at \$10 per month by reason of rheumatism, disease of rectum and stomach, and senile debility.

Address, Trempealeau, Wis.

Board of surgeons, April 6, 1910, found rheumatism and piles.

Medical testimony is that applicant has muscular rheumatism and lumbago; has internal and external piles and rectal prolapse; is unable to do manual labor.

Other testimony is that applicant has for property one cow, valued at \$25, and no income but his pension.

An increase to \$36 per month is recommended.

H. R. 22280. Joseph F. Dixon, aged 80 years, served as a private in Company K, Sixtieth Regiment Illinois Volunteer Infantry, from October 27, 1861, to March 14, 1865 (3 years 4 months and 17 days), and is now a pensioner under the act of February 6, 1907, at \$20 per month on account of age.

He was formerly pensioned under the act of July 14, 1862, at \$17 per month by reason of rheumatism and varicose veins of right leg and resulting ulceration.

Address, Deer Lodge, Tenn.

Board of surgeons, May 16, 1906, found a rating in favor of applicant of \$24 per month.

Medical testimony is that applicant has rheumatism, varicose veins in right leg, and kidney trouble and is unable to do manual labor.

The testimony shows that the applicant is poor and that his income is his pension.

An increase to \$36 a month is recommended.

H. R. 22325. Thomas Blackburn, aged 74 years, served as a private in Company E, Thirty-ninth Regiment Kentucky Volunteer Infantry, from November 7, 1862, to September 15, 1865 (2 years and 10 months), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month for disease of respiratory organs, shown by medical examination of July 6, 1898, which also disclosed chronic conjunctivitis of a severe type.

Address, Gulnare, Ky.

Dr. L. O. Thornbury, April 9, 1912, asserts pensioner is unable to do manual labor by reason of chronic cystitis, chronic diarrhea, and chronic cough, and he ought to have the constant assistance of another person.

Two neighbors testify that his physical condition is bad: that he is not able to do any kind of work; and has no income but his pension.

Pensioner states that he is not able to wait upon himself: has no relatives to care for him; must depend upon strangers; and that he has no means of support but his pension.

An increase to \$30 a month is recommended.

H. R. 22386. John A. Lee, aged 65 years, served as a private in Company B, Fifty-first Regiment Pennsylvania Volunteer Infantry, from March 28, 1864, to July 27, 1865 (1 year 3 months and 29 days), and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of rheumatism, disease of heart, and general debility.

Address, Jermyn, Pa.

Board of surgeons, April 24, 1907, found rheumatism, disease of heart, general debility, and malaria.

There is testimony that applicant has no income or support or property producing an income or support: his income is his pension.

Dr. Herman Bessey, April 16, 1912, testifies that soldier has rheumatism; crepitus of the shoulders, with limitation of motion; right leg practically useless, muscles poorly developed; he also has heart disease; and is totally incapacitated for manual labor.

Neighbors say that he is possessed of no property, real or personal, and has no income but his pension of \$12 a month.

An increase to \$30 a month is recommended.

H. R. 22408. John S. Gormley, aged 69 years, served as a private in Company F, Forty-seventh Regiment New York State Militia Infantry, from May 27, 1862, to September 1, 1862 (three months and four days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$8 per month by reason of rheumatism and senile debility.

Address, 53 Park Street, Jersey City, N. J.

Board of surgeons, February 1, 1905, found pensioned causes.

Medical testimony is that applicant is totally incapacitated for manual labor and is in need of the aid and assistance of some one to care for him.

Other testimony is that the applicant has no means for support but his pension.

An increase to \$20 a month is warranted.

H. R. 22420. Enoch Jones, aged 71 years, served as a private in United States Marine Corps from August 13, 1862, to August 13, 1866 (four years), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of July 14, 1862, at \$12 per month by reason of loss of teeth, result of scurvy and resulting indigestion.

Address, Hot Springs, S. Dak.

Board of surgeons, March 7, 1900, found scurvy and resulting disabilities.

Medical testimony is that applicant is so disabled by rheumatism as to be unable to do manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$30 a month is recommended.

H. R. 22461. James McClary, aged 72 years, served as a private in Company H, Eighth Regiment New Jersey Volunteer Infantry, and in Seventy-second Company, Second Battalion, Veteran Reserve Corps, from September 5, 1861, to September 5, 1864 (three years), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$8 per month by reason of shell wound of left hand and disease of heart.

Was formerly pensioned under the act of July 14, 1862, at \$6 per month for shell wound of left hand.

Address, 203 Lewis Street, Phillipsburg, N. J.

Board of surgeons, July 11, 1906, found shell wound of left hand and disease of heart.

Medical testimony is that applicant's general physical condition indicates anemia, with marked degree of nervous depression; defective

vision, total in right eye, partial in left; arcus senilis present; has arteriosclerosis; sustained a fall in early part of past winter; is unable to do manual labor.

Two fellow citizens make oath that pensioner has no real estate and is assessed at \$50 for personal property, and no income except his pension.

An increase to \$30 is recommended.

H. R. 22496. George E. Knowlton, aged 72 years, served as a private in Company G, Thirty-second Regiment Wisconsin Volunteer Infantry, from November 20, 1863, to December 28, 1864 (one year one month and eight days), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of July 14, 1862, at \$14 per month by reason of chronic diarrhea and resulting disease of rectum.

Address, West De Pere, Wis.

Board of surgeons, March 21, 1906, found disease of rectum, enlarged prostate gland, and disease of kidneys.

Medical testimony is that applicant has enlarged prostate and chronic cystitis. He uses the catheter at all times. His heart is much enlarged; is described as a tottering wreck.

Other testimony is that applicant has a home worth \$900 and no other property and no income but his pension.

An increase to \$36 a month is recommended.

H. R. 22552. Myron L. Spear, aged 66 years, served as a private in Company C, Twelfth Regiment Indiana Volunteer Cavalry, from November 16, 1863, to November 10, 1865 (two years), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

Was formerly pensioned under act of June 27, 1890, at \$10 for double inguinal hernia, disease of lungs, and general debility.

Address, Tempe, Ariz.

Medical examination, October 5, 1904, shows pensioned disabilities and disease of heart.

Dr. B. B. Moeur, April 8, 1912, says pensioner is afflicted with general debility, double rupture, intermittent heart, rheumatism in knees, old for his age, and is totally unable to perform manual labor.

Two affiants testify that he has no real estate or personal property of his own and relies chiefly upon his wife, who is a nurse, for his support. His income, including his pension, will not exceed \$200 a year.

An increase to \$30 is recommended.

H. R. 22560. George E. Hatfield, aged 71 years, served as a private and corporal in Company E, Eighty-ninth Regiment Ohio Volunteer Infantry, and in Company G, Fifteenth Regiment Veteran Reserve Corps, from July 31, 1862, to July 8, 1865 (3 years less 23 days), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$8 per month by reason of partial inability to earn a support by manual labor.

Was formerly pensioned under the act of July 14, 1862, at \$6 per month for left varicocele.

Address, Fort Dodge, Kans.

Board of surgeons, April 2, 1890, found left varicocele.

Medical testimony is that applicant is totally blind in left eye, with impaired vision of the right eye. On the brightest day he has to feel his way with a cane; is unable to do manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$30 a month is recommended.

H. R. 22698. Joseph Grady, aged 74 years, served as a private in Company E, Twelfth Regiment Iowa Volunteer Infantry, from October 17, 1861, to January 20, 1866 (four years three months and three days), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$10 per month by reason of partial inability to earn a support by manual labor.

Address, Dickson, Tenn.

Board of surgeons, May 1, 1901, found varicose veins, injury to testicle, hernia, and disease of heart.

Medical testimony is that applicant has paralysis of right arm and hand, has bladder and kidney trouble, and a large chronic sore on his left leg; is unable to do manual labor.

Other testimony is that applicant has a house and 1 acre of land worth about \$500. Has a pension of \$15 a month.

An increase to \$30 a month is recommended.

H. R. 22706. Lucy A. Pratt, aged 76 years, is the widow of Eugene H. Pratt, who served as a musician in Ninth Regiment Connecticut Infantry from November 1, 1861, to September 21, 1862 (10 months).

Soldier was pensioned under the general law at \$4 for chronic diarrhea; he died November 18, 1887, of apoplexy.

He and pensioner were married July 2, 1866. She was pensioned at \$8 from April 25, 1891, and is now receiving \$12 from April 19, 1908.

Address, 46 View Street, New Haven, Conn.

Dr. P. S. Robinson knows pensioner to be dependent upon her pension and the charity of her friends; that she is a sufferer from chronic bronchitis and practically a cripple from a fracture of the left femur 14 years ago, which has caused atrophy and partial paralysis of the entire leg.

Pensioner and two friends testify that she has no property of any kind, either real, personal, or mixed; is confined to the house and needs an attendant to care for her bodily needs.

An increase to \$20 is recommended.

H. R. 22754. James Lovens, aged 68 years, served as a private in Company G, Thirteenth Regiment Kentucky Volunteer Cavalry, from August 13, 1863, to January 10, 1865 (1 year 4 months and 27 days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$6 per month by reason of disease of right testicle and rectum.

Somerset, Ky., is applicant's post-office address.

Board of surgeons, June 7, 1905. found disease of heart, stomach, bowels, and rectum, disease of testicle, catarrh, and neuralgia.

Medical testimony is that applicant has chronic rheumatism, resulting heart and kidney trouble; is blind in the right eye; is in a generally run-down condition, and is unable to do manual labor.

Other testimony is that applicant has no real property and no personal property aside from a cow and a yearling heifer.

An increase to \$30 a month is recommended.

H. R. 22788. Mary McCaskey, aged 73 years, is the widow of George McCaskey, who served as a corporal in Company F, Tenth Regiment Pennsylvania Reserve Volunteer Infantry, from May 15, 1861, to June 11, 1864 (3 years and 26 days).

Soldier was pensioned under the act of February 6, 1907, at \$15 per month; formerly pensioned under the act of June 27, 1890, at \$8 per month.

Applicant is pensioned under the act of April 19, 1908, at \$12 per month.

Address, 180 Hutchinson Avenue, Edgewood, Pa.

Applicant and soldier were married January 20, 1870.

Soldier died April 11, 1910.

It appears that by reason of age and its accompanying infirmities the applicant is unable to earn a living.

Other testimony is that applicant has no property and no income but her pension.

An increase to \$20 a month is recommended.

H. R. 22790. Ezra Craft, aged 67 years, served as a private in Company G, Twenty-seventh Regiment Michigan Volunteer Infantry, and in Company A, Twentieth Regiment Veteran Reserve Corps, from August 23, 1863, to July 17, 1865 (1 year 10 months and 24 days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of July 14, 1862, at \$8 per month by reason of gunshot wound of left hand.

Address, 350 Hart Avenue, Detroit, Mich.

Board of surgeons, July 31, 1901, found gunshot wound of left hand, deafness, eye trouble, rheumatism, piles, and catarrh.

Medical testimony is that applicant has chronic otitis media of both ears, with chronic nasopharyngeal inflammation; he is quite deaf; his left hand is practically disabled from an old wound; it appears that he is unable to do manual labor.

Other testimony is that applicant has real estate valued at \$2,850, encumbered with a mortgage for \$2,800. He owns some household goods and wearing apparel. He has no income but his pension.

An increase to \$30 a month is recommended.

H. R. 22834. Joseph Tlamsa, aged 79 years, served as a private in Company K, Twenty-eighth Regiment Ohio Volunteer Infantry, from July 10, 1861, to July 23, 1864, and as sergeant in Company K, One hundred and ninety-second Regiment Ohio Volunteer Infantry, from February 24, 1865, to September 1, 1865 (total service, 3 years 6 months and 20 days), and is now a pensioner under the act of February 6, 1907, at \$20 per month on account of age.

He was formerly pensioned under the act of July 14, 1862, at \$17 per month by reason of disease of liver and resulting dyspepsia, disease of urinary organs, chronic diarrhea, piles, and disease of heart.

Address, 1633 Sycamore Street, Cincinnati, Ohio.

Board of surgeons, October 4, 1905, found indigestion, piles, and disease of heart. Rated by board at \$17 per month.

Medical testimony is that applicant has enlarged prostate, rheumatism in right leg, hip, and knee, and chronic bronchitis; is unable to do manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$36 a month is recommended.

H. R. 22838. Lee Manlove, aged 70 years, served as a private in Company H, Eighty-ninth Regiment Ohio Infantry, from August 11, 1862, to June 7, 1865 (2 years and 10 months), and is now a pensioner under the act of July 14, 1862, at \$30 per month on account of rheumatism and resulting disease of heart and resulting dropsy; this rate from March 4, 1912, a reduction from \$50 a month which he had been receiving from October 14, 1904.

Address, Bainbridge, Ohio.

Dr. G. S. Hodson, April 16, 1912, testifies that pensioner is totally disabled by rheumatism, is unable to get out, and that for 10 years he got about in a wheel chair or on crutches. He is also afflicted with dropsy and paralysis of lower extremities; arteriosclerosis is well marked.

The Member introducing this bill certifies that soldier has been paralyzed for many years, requires constant care and attention, is unable to dress or bathe himself without assistance. He owns no property save a small house of the rental value of \$75 a year.

The reason for the reduction by the Pension Bureau was that his present condition was due in part to an injury of spine incurred since soldier's discharge.

An increase to \$50 is suggested.

H. R. 22891. Winifred W. Strippy, aged 60 years, is the widow of Simon D. Strippy, who served as a private in Company A, First Regiment Potomac Home Brigade Maryland Infantry, from August 12, 1861, to August 27, 1864 (three years).

Soldier was pensioned under act of June 27, 1890, at \$12. He died March 5, 1892. He and applicant were married November 7, 1866. She is pensioned under the same act and now receives \$12 a month.

Address, Keep Tryst, Md.

Dr. B. B. Ranson says pensioner is under medical treatment by him and has been for five years and that she is unable to earn a living on account of physical disabilities.

Pensioner and her witnesses state she has no home or property of any description and is not able to support herself by labor, and that her pension of \$12 a month will only provide her with the common necessities of life, and she must share her pension with her old mother, who is 93 years old.

An increase to \$20 is recommended.

H. R. 22916. Melvin Howe, aged 71 years, served as a private in Company K, Second Regiment New York Veteran Volunteer Cavalry, from October 29, 1863, to November 8, 1865 (two years and nine days), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$10 per month by reason of chronic diarrhea, varicose veins of both legs, right inguinal hernia, and senile debility.

Was formerly pensioned under the act of July 14, 1862, at \$8 per month for chronic diarrhea and varicose veins of left leg.

Address, Luzerne, N. Y.

Board of surgeons, December 26, 1906, found right oblique inguinal hernia and senility.

Medical testimony is that applicant has varicose veins of both legs, chronic rheumatism, double inguinal hernia, disease of heart, prostatic hypertrophy, and chronic cystitis, and is unable to do manual labor.

Other testimony is that applicant has a home, but no other property, and no income but his pension.

An increase to \$30 a month is recommended.

H. R. 22967. Charles W. King, aged 76 years, served as a corporal in Company F, Eighteenth Regiment Kentucky Volunteer Infantry, from October 21, 1861, to November 7, 1862 (1 year and 16 days), and is now a pensioner under the act of February 6, 1907, at \$20 per month on account of age.

He was formerly pensioned under the act of July 14, 1862, at \$17 per month by reason of gunshot wound of left side of head, resulting in impaired sight of left eye, and disease of rectum.

Address, Berry, Ky.

Board of surgeons, November 3, 1909, found pensioned causes, also heart disease and hernia.

Medical testimony is that applicant is very feeble and unable to do manual labor.

Other testimony is that applicant has real and personal property worth \$900. He has a pension of \$20 per month.

An increase to \$36 a month is recommended.

H. R. 22968. Felix Warren, aged 66 years, served as a private in Company M, Seventh Regiment Kentucky Cavalry, from July 12, 1862, to September 6, 1865 (three years and two months), and is now a pensioner under the act of July 14, 1862, at \$17 per month on account of malarial poisoning and disease of rectum.

Application for increase was denied by the Bureau of Pensions April 19, 1911.

Address, Owingsville, Ky.

Medical examination, August 3, 1910, revealed a bad case of malarial poisoning, disease of rectum, disease of heart, and rheumatism.

Dr. B. F. Wells has been soldier's physician for 30 years; he says pensioner can do no labor on account of malarial poisoning and disease of rectum.

Two neighbors say that pensioner has no real and personal property other than 30 acres of land, assessed at \$8 an acre, and \$150 of live stock.

An increase to \$30 a month is warranted.

H. R. 22969. Abraham W. Spradling, aged 69 years, served as a private and sergeant in Company D, Seventh Regiment Kentucky Volunteer Cavalry, from June 28, 1862, to July 10, 1865 (2 years and 12 days), and is now a pensioner under the act of July 14, 1862, at \$12 per month on account of disease of eyes and resulting loss of sight of left eye.

Address, Berry, Ky.

Board of surgeons, January 18, 1910, found disease of eyes.

Medical testimony is that applicant, by reason of rheumatism, chronic cystitis, and other maladies, is unable to do manual labor.

Other testimony is that the applicant owns one horse, worth \$100. and 5 acres of land, worth about \$16 per acre.

An increase to \$30 a month is recommended.

H. R. 23053. Thomas Scott, aged 65 years, served as a private in Company B, Fourteenth Regiment New York Volunteer Infantry, from July 8, 1862, to June 9, 1865 (2 years 11 months and 1 day), and is now a pensioner under the act of July 14, 1862, at \$12 per month on account of disease of stomach and malarial poisoning.

Had a service subsequent to the Civil War.

Address, 20 Myrtle Avenue, Auburn, N. Y.

Board of surgeons, December 13, 1911 found disease of stomach and slight arteriosclerosis.

Medical testimony is that applicant has a very bad double inguinal hernia, large varicose veins of both legs, rheumatism which renders it impossible for him to close his hands; has eczema of hands, arms, legs, and body; is generally debilitated and unfit to do manual labor.

Other testimony is that applicant has no property and no income but his pension. An increase to \$36 a month is recommended.

H. R. 23075. Hiram D. Beckett, aged 68 years, served as a private in Company D, Twenty-fourth Regiment New Jersey Infantry from September 2, 1862, to June 29, 1863, and in Company A, Ninth Regiment New Jersey Infantry, from February 23, 1865, to July 12, 1865 (one year and three months), and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of loss of sight of right eye, right inguinal hernia, rheumatism and resulting disease of heart, and impaired vision of left eye, as shown by medical examination of March 19, 1902.

Dr. C. F. Fuller, March 30, 1912, says he is now blind in both eyes, has epileptic fits, and has double rupture.

Neighbors swear he has title to the home in which he lives, which is mortgaged for all it is worth; that he is blind and helpless, with no income but his pension.

An increase to \$30 is warranted.

H. R. 23091. John Kelly, aged 67 years, served as a private in Company G, Thirty-second Regiment Pennsylvania Volunteer Infantry, and in Unassigned Fifty-fourth Regiment Pennsylvania Volunteer Infantry, from July 14, 1861, to July 28, 1864 (3 years and 14 days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$8 per month on account of senile debility.

Address, Friday Harbor, Wash.

Board of surgeons, November 1, 1905, found pensioned cause and disease of lungs.

Medical testimony is that applicant is suffering from a complete mental and physical deterioration, which renders him unable to do any remunerative labor.

From the testimony it appears that applicant's pension is his sole source of support.

An increase to \$30 a month is recommended.

H. R. 23097. William Sowards, aged 67 years, served as a private in Company B, Eleventh Regiment Illinois Volunteer Infantry, from July 30, 1861, to March 11, 1866 (4 years 7 months and 11 days), and is now a pensioner under the act of July 14, 1862, at \$14 per month on account of gunshot wound of right arm and right leg, and nervous prostration, and impaired memory, result of sunstroke.

Address, Fort Dodge, Kans.

Board of surgeons, February 7, 1912, found gunshot wound of right arm and right leg, almost total deafness of left ear, complete scrotal hernia of right side.

Medical testimony is that applicant has total deafness of left ear and nearly total deafness of right; has disease of heart; describes gunshot wound of right arm and right leg; has right indirect inguinal hernia: has varicocele of the right side: has chronic rheumatism and nervous prostration; is unable to do manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$36 a month is recommended.

H. R. 23210. William T. Lambdin, aged 67 years, served as a private and corporal in Company B, Fourth Regiment Indiana Volunteer Cavalry, from August 4, 1862, to June 29, 1865 (2 years 10 months and 25 days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$8 per month by reason of disease of heart, rectum, and lungs, and rheumatism.

Address, 1217 Maxwell Avenue, Spokane, Wash.

Board of surgeons, December 17, 1902, found chronic diarrhea and results, disease of liver, stomach, and rectum, and disease of lungs, result of pneumonia.

Medical testimony is that applicant has arteriosclerosis and chronic articular rheumatism, and is in a state of general physical debility. It appears that he is unable to do manual labor.

Other testimony is that applicant has for property only his household furniture and wearing apparel, worth about \$200; is dependent upon his pension for a support.

An increase to \$30 a month is recommended.

H. R. 23212. Henry C. Sowards, aged 65 years, served as a private in Company H, Fourteenth Regiment Kentucky Volunteer Infantry, and in Company E, Thirty-ninth Regiment Kentucky Volunteer Infantry, from October 25, 1861, to January 31, 1865 (3 years 3 months and 6 days), and is now a pensioner under the act of

June 27, 1890, at \$12 per month on account of disease of rectum and complete double inguinal hernia.

Was formally pensioned under the act of July 14, 1862, at \$4 per month for disease of rectum.

Address, Pikeville, Ky.

Board of surgeons, October 19, 1898, found disease of rectum, disease of heart, cystitis, and double inguinal hernia.

Medical testimony is that applicant has disease of lungs and heart, is confined to the house and his bed most of the time, and is unable to do manual labor.

Other testimony is that applicant has exhausted every means of support and now has nothing but his pension for a support.

An increase to \$30 a month is recommended.

H. R. 23221. Charles Callison, aged 71 years, served as a private in Company M, Second Regiment Missouri State Militia Volunteer Cavalry, from January 1, 1863, to April 10, 1865 (2 years 3 months and 9 days), and is now a pensioner under the act of July 14, 1862, at \$16 per month on account of disease of lungs.

Address, Kirksville, Mo.

Board of surgeons, August 19, 1908, found pensioned cause and loss of sensation, arteriosclerosis, arcus senilis, and also anemic and debilitated.

Medical testimony is that applicant has cirrhosis of the liver, with blood pressure abnormally high, is weak and feeble, and totally incapacitated for manual labor.

Other testimony is that applicant's property will not exceed in value \$100.

An increase to \$36 a month is recommended.

H. R. 23223. Mary Newell, aged 62 years, is the widow of Samuel Newell, who served as a corporal in Company I, One hundred and thirty-third Regiment New York Infantry, from August 22, 1862, to June 6, 1865 (2 years and 9 months).

Soldier was pensioned under the general law at \$24 for rheumatism and resulting disease of heart, but applicant's claim under same law was rejected, as acute pneumonia, the cause of his death, could not be accepted as due to pensioned causes. She is, however, pensioned at \$12 under act of June 27, 1890. Soldier died December 9, 1895. He and pensioner were married June 26, 1856.

Dr. E. J. Carroll testifies that he has been attending applicant for the last year; she has been totally disabled and unable to attend to herself in any way; she needs constant and close attention and nursing; she is afflicted with general arteriosclerosis with cerebral disturbance.

Lay testimony shows she is destitute, with no income or support other than her pension.

As she is a "war widow," helpless, and destitute, an increase to \$20 is warranted.

H. R. 23224. Richard McCarron, aged 76 years, served as a private in Second Battery, Massachusetts Volunteer Light Artillery, from January 20, 1864, to August 11, 1865 (1 year 6 months and 21 days), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of rheumatism and disease of heart and liver and varicose veins of right leg and senile debility.

Address, 89 East Canton Street, Boston, Mass.

Board of surgeons, December 31, 1902, found rheumatism, disease of liver, varicose veins, and disease of mastoid bone.

Medical testimony is that applicant has catarrh of the stomach, a weak heart, and intermittent pulse; he has rheumatism, is almost blind, and is wholly unable to work.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$30 a month is recommended.

H. R. 23272. William S. De Hart, aged 69 years, served as a private in Companies B and A. First Regiment New Jersey Volunteer Infantry, from May 21, 1861, to June 29, 1865 (4 years 1 month and 8 days), and is now a pensioner under the act of June 27, 1890, at \$12 per month, on account of left varicocele (well marked) and disease of heart.

Address, New Brunswick, N. J.

Board of surgeons, January 13, 1892, found pensioned causes.

Medical testimony is that applicant has chronic renal disease and valvular disease of the heart, and is unable to do manual labor.

Other testimony is that applicant has no means, and is dependent upon his friends for contributions to his support.

An increase to \$30 a month is recommended.

H. R. 23274. Charles M. Wyvell, aged 71 years, served as a private in Company C. Third Regiment New York Volunteer Cavalry, from August 3, 1861, to August 3, 1864 (3 years), and is now a pensioner under the act of July 14, 1862, at \$27 per month on account of severe deafness of both ears, resulting in total deafness of left ear and severe deafness of right ear, resulting in nearly total deafness of both ears.

Address, Park Place, Wellsville, N. Y.

Board of surgeons, January 5, 1912, found pensioned cause.

Medical testimony is that applicant is, by reason of pensioned cause, unable to do manual labor.

It appears that applicant's only sources of support are his pension and what is given him by his children.

An increase to \$36 a month is recommended.

H. R. 23307. Theresa A. Kurtz, aged 69 years, is the former widow of Thompson L. Hughey, who served as a private in Young's Independent Battery G, Pennsylvania Volunteer Light Artillery, from August 8, 1862, to March 17, 1863 (7½ months).

Address, 5009 Tchoupitoulas Street, New Orleans, La.

The soldier was pensioned under act of June 27, 1890, at \$12. Pension accrued at his death was paid this applicant. Her claim under act of June 27, 1890, was rejected January 19, 1895, on the ground that the widow had other means of support than her daily labor.

The soldier died January 1, 1894; he and applicant were married May 16, 1866. She remarried to Emanuel Kurtz, June 6, 1896, and said Kurtz died June 19, 1911. He also had been a soldier, serving as a principal musician in Sixth Pennsylvania Reserve Volunteer

Infantry, and pensioned under the act of February 6, 1907, at \$15; but owing to the date of marriage—May 16, 1866—applicant, as his widow, has no status under act of April 19, 1908. She never applied under the general law.

Applicant and two prominent citizens declare she has now no property of any description, and works for her board, not being able on account of her age to obtain better wages.

Old, helpless, and destitute, the widow of two soldiers, following precedent, a pension of \$12 may be allowed.

H. R. 23388. Augustine Babcock, aged 71 years, served as a private in Company F, Nineteenth Regiment Maine Volunteer Infantry, and as a corporal in Company F, First Maine Volunteer Heavy Artillery, from August 9, 1863, to September 11, 1865 (2 years 1 month and 2 days), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$10 per month by reason of gunshot wound of right breast and varicose veins of right leg.

Was formerly pensioned under the act of July 14, 1862, at \$6 per month for gunshot wound of right breast.

Address, R. F. D. 8, Green Bay, Wis.

Board of surgeons, November 25, 1891, found gunshot wound of right breast, varicose veins, and general debility.

Medical testimony is that applicant is physically and mentally unable to do any work.

The guardian of the applicant states that the applicant has no property and no income but his pension.

An increase to \$36 a month is recommended.

H. R. 23389. Sarah Wolford, aged 73 years, is the widow of Frederick Wolford, who served as a private in Company I, Thirty-ninth Regiment Kentucky Infantry, from February 25, 1865, to September 15, 1865 (7 months).

Soldier never applied for a pension and died May 26, 1886. He and applicant were married January 7, 1866, and she was pensioned from August 16, 1890, at \$8 under act of June 27, 1890; she now receives \$12 a month.

Dr. W. A. Dotson testifies that applicant has been totally blind for 18 years.

Neighbors testify that she has a life interest in 50 acres of land worth from \$7 to \$10 an acre, and she has no other property, and does not own a home, but lives with her son-in-law; and her only income is her pension.

An increase to \$20 per month is proper.

H. R. 23401. Isaac Williams, aged 67 years, served as a private in Company H, Twenty-first Regiment Iowa Volunteer Infantry, from August 9, 1862, to April 14, 1865 (2 years 8 months and 5 days—discharged on S. C. D.), and is now a pensioner under the act of June 27, 1890, at \$12 per month for rheumatism, disease of heart and rectum, chronic diarrhea, and general debility.

He was formerly pensioned under the act of July 14, 1862, at \$6 per month by reason of chronic diarrhea.

Address, 1444 East Grand Avenue, Des Moines, Iowa.

Board of surgeons, July 20, 1910, found chronic diarrhea and results, disease of heart, and bronchitis, and rated at \$24 per month.

Medical testimony is that applicant has asthma, valvular heart trouble, and bad digestion, and is unable to do manual labor.

Other testimony is that applicant's property consists of a home assessed at \$800, and his only income is his pension.

An increase to \$30 a month is recommended.

H. R. 23405. Charles M. Hart, aged 72 years, served as a captain in Company I, Forty-fifth Regiment Pennsylvania Infantry, from September 21, 1861, to July 25, 1865 (3 years and 10 months), and is now a pensioner under the act of July 14, 1862, at \$17 per month, on account of rheumatism and resulting disease of heart, and nervous prostration, result of scurvy and typhoid fever.

Was a prisoner of war for a year.

Address, R. F. D. No. 7, Hornell, N. Y.

Last examination by board of surgeons show only the pensioned disabilities.

Dr. L. M. Kysor, April 17, 1912, has treated pensioner for rheumatism and circulatory insufficiency; has pain in back extending down and into left leg and hip, with the left foot swelling until he is unable to wear a shoe. He is blind in right eye, result of accident three years ago. There is a marked degree of general arterior capillary filariasis. He is not only unable to do manual labor, but needs assistance for his daily needs.

Pensioner swears he possesses no real estate of any kind; the house in which he and his old wife live was given to her by her father, and is worth about \$900. He has no personal property of any nature, and his only income is his pension—\$17 a month.

Walter Kreidler testifies that pensioner is an invalid, and for the last two years unable to do anything whatever. He has no property, either real or personal, and no means of support except his pension.

The assessor says he has acted in that capacity for five years, and never during that time has any property, real or personal, been assessed against him. He has no property of any kind, real or personal, and no means of support other than his pension.

A long and honorable service, prisoner of war for a year, having weighty disabilities, helpless and destitute, an increase to \$40 is recommended.

H. R. 23423. Andrew J. Adamson, aged 65 years, served as a corporal in Company H, Ninety-eighth and Sixty-first Regiments Illinois Infantry, from January 1, 1864, to September 8, 1865 (1 year and 8 months), and is now a pensioner under the act of February 6, 1907, at \$12 per month, on account of age. Formerly pensioned under act of June 27, 1890, at \$8 for rheumatism and disease of rectum.

Medical examination, January 15, 1905, shows above; also debility and plethora of blood vessels.

Address, 6001 South Broadway, St. Louis, Mo.

Dr. M. C. Starkloff has treated him for articular and lumbar rheumatism, and disease of heart.

Lay testimony is to the point that pensioner is a very poor man financially, is feeble physically, and unable to labor; has no property, and rents a single room, in which he lives.

An increase to \$30 a month is recommended.

H. R. 23445. John M. Rhoads, aged 73 years, served as a first lieutenant in Company H, Fifth Regiment Pennsylvania Reserve Volunteer Infantry, from September 21, 1862, to June 11, 1864 (1 year 8 months and 20 days), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of rheumatism, disease of heart, and senile debility.

Was formerly pensioned at \$6 per month under the act of July 14, 1862, for gunshot wound of right index finger.

Applicant's address, 223 Chestnut Street, Sunbury, Pa.

Board of surgeons, December 5, 1906, found rheumatism, disease of feet, dropsy, gunshot wound of right index finger, fracture of right wrist joint, and senile debility.

Medical testimony is that applicant has heart trouble; has left varicocele, with enlargement of veins on left side of scrotum; is unable to do manual labor.

Other testimony is that applicant, aside from his household goods, has no furniture and has no income but his pension.

An increase to \$30 a month is recommended.

H. R. 23475. Parkerson Perrego, aged 74 years, served as a private in Company G, One hundred and seventy-seventh Regiment Pennsylvania Drafted Militia Infantry, from October 28, 1862, to August 5, 1865 (two years nine months and seven days), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of rheumatism, resulting disease of heart, and disease of rectum.

Was formerly pensioned under the act of July 14, 1862, at \$6 per month for rheumatism, chronic diarrhea, and resulting piles.

Address, Dallas, Pa.

Board of surgeons, October 16, 1901, found rheumatism, diarrhea, and piles.

Medical testimony is that applicant has hemorrhoids, inability to elevate his right arm, and high blood pressure; is unable to do manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$30 a month is recommended.

H. R. 23498. Patrick Carey, aged 64 years, served as a private in Company A, One hundred and thirty-ninth Regiment New York Volunteer Infantry, and in Company E, Fourteenth Regiment Volunteer Reserve Corps, from January 29, 1864, to July 31, 1865 (one year six months and two days), and is now a pensioner under the act of June 27, 1890, at \$12 per month for gunshot wound of right arm and partial paralysis.

He was formerly pensioned under the act of July 14, 1862, at \$4 per month by reason of gunshot wound of right arm.

Address, 18 Stockton Street, Brooklyn, N. Y.

Board of surgeons, April 11, 1905, found gunshot wound of right arm, depressed fracture of skull, and resulting disease of the nervous system.

Medical testimony is that applicant has sustained serious injuries to his limbs, making him unfit for manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$30 a month is recommended.

H. R. 23530. John Hanrey, aged 67 years, served as a private in Company G, Thirty-ninth Regiment New Jersey Volunteer Infantry, from September 10, 1864, to June 26, 1865 (9 months and 16 days), and is now a pensioner under the act of June 27, 1890, at \$12 per month for gunshot wound of left arm, rheumatism, and fistula in ano, and senile debility.

He was formerly pensioned under the act of July 14, 1862, at \$8 per month by reason of gunshot wound of left arm.

Address, Soldiers' Home, Kearney, N. J.

Board of surgeons, October 4, 1905, found gunshot wound of left arm, rheumatism, fistula, and general debility.

Medical testimony is that applicant has chronic rheumatism and fistula in ano; is unable to do any labor.

From the testimony it appears that the applicant has no property and no income but his pension.

An increase to \$24 per month is recommended.

H. R. 23564. John F. Dumont, aged 67 years, served as a private in Company I, First Regiment Missouri Volunteer Cavalry, from August 1, 1861, to May 13, 1862, and as first sergeant and second lieutenant in Company D, Seventh Regiment Indiana Volunteer Cavalry, from July 7, 1863, to May 15, 1865 (2 years 7 months and 20 days), and is now pensioned under the act of July 14, 1862, at \$24 per month on account of gunshot wound of left elbow and resulting ankylosis.

Address, Kansas City, Kans.

Board of surgeons, March 3, 1909, found pensioned cause and rated at \$46 per month.

From the medical testimony it appears that from pensioned cause the applicant is unable to do manual labor.

Other testimony is that applicant has real and personal property valued at \$2,200, and on the real property there is a mortgage of \$950; his income is his pension.

An increase to \$36 a month is recommended.

H. R. 23704. George F. Rebman, aged 72 years, served as a sergeant in Company B, One hundred and nineteenth Regiment Illinois Volunteer Infantry, from August 5, 1862, to August 26, 1865 (3 years and 21 days), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$10 per month by reason of left inguinal hernia, rheumatism, tumor on neck, disease of nervous system, and senile debility.

Address, Pleasant View, Ill.

Board of surgeons, July 6, 1904, found pensioned causes.

Medical testimony is that applicant has a glandular tumor, which affects the nerves, interfering with speech, sight, and hearing; also has spinal nervous trouble and rheumatism; is unable to do manual labor.

Other testimony is that applicant has a home, worth about \$500, and no income but his pension.

An increase to \$30 a month is recommended.



62D CONGRESS, } HOUSE OF REPRESENTATIVES. } REPORT
2d Session. } No. 643.

PENSIONS AND INCREASE OF PENSIONS FOR CERTAIN SOLDIERS AND SAILORS OF THE REGULAR ARMY, ETC.

MAY 2, 1912.—Committed to the Committee of the Whole House and ordered to be printed.

Mr. RICHARDSON, from the Committee on Pensions, submitted the following

REPORT.

[To accompany S. 6340.]

The Committee on Pensions, to whom was referred Senate bill 6340, have examined the same and report:

The report of the Committee on Pensions of the Senate, hereto appended, is in part adopted, and the passage of the bill is recommended when amended as set out at the close of this report, the reasons for such amendments there being stated.

[Senate Report No. 620, Sixty-second Congress, second session.]

This bill is a substitute for the following Senate bills referred to said committee:

- | | |
|-------------------------|----------------------------|
| S. 782. Michael Grace. | S. 5341. Arthur W. S. Maw. |
| 2483. Andrew J. Laws. | 5388. William H. Sterling. |
| 2833. John T. Peel. | 5457. John Lehr. |
| 3687. Robert S. Kariho. | 5476. Willson G. Nowers. |
| 3825. Perry L. Sargent. | 5640. Winfield S. Gibbs. |
| 4678. Rachel T. Beck. | 5656. Marcellus Moore. |

The following are the facts ascertained by the committee concerning the case of each beneficiary in said bills, and the conclusion of the committee as to the proper amount of pension or increase which should be granted:

S. 782. Michael Grace, the applicant, was a private in Company A, Thirty-fourth United States Infantry, and served from March 31, 1866, to March 31, 1869. A bill to grant him a pension was introduced in the Senate during the Sixty-first Congress, reported favorably, and passed the Senate. The report was as follows:

Michael Grace, the beneficiary, served in the Regular Army for three years as private in Company A, Thirty-fourth Regiment United States Infantry. The military records show that he enlisted March 31, 1866, and was honorably discharged March 31, 1869.

He filed a claim in the Pension Bureau, alleging service origin of rupture and asthma. This claim was rejected January 29, 1902, for the reason that the claimant had failed to prove to the satisfaction of the bureau that his disabilities were chargeable to his military service. There is some testimony filed with the bill to show that claimant's disabilities were incurred while in the Army. Two comrades have testified and have filed affidavits with the bill. Medical records of the War Department do not indicate that soldier ever received any serious disability due to his service, although it is true that he was in the hospital at different times, suffering from minor ailments.

The Senator who introduced the bill states that claimant is now hopelessly disabled by reason of rupture and asthma, and that he has been in a bad condition for a

long time. It is generally understood by friends and neighbors and members of the soldier's family that the disabilities were incurred during his service at the close of the Civil War. Claimant in his own behalf states that some time during the month of August, 1866, at the time of the riot in Memphis, Tenn., he, with his company, marched for several hours through the streets, quelling the riot, and during the night were drenched with a cold rain and that a few days later he was taken to the general hospital at Columbus, Miss., and that he has suffered more or less from asthma ever since, and that he incurred rupture in September or October, 1866, while loading heavy timber.

In view of the statements of the comrades and the Senator who introduced the bill, your committee are led to believe that, while the evidence may not be absolutely conclusive as to the incurrence of the disabilities in the service, yet, giving the soldier the benefit of the doubt, he may very justly be entitled to a pension, and recommend in his case an allowance of \$12 per month.

Your committee adopt the foregoing report and recommend pension of \$12 per month.

S. 2483. Andrew J. Laws served in the Oregon and Washington Territory Indian wars from February 1, 1856, to August 20, 1856, as a sergeant in Capt. B. L. Henness's company (C), Second Regiment Washington Mounted Volunteers. He also served from October 20, 1855, to January 21, 1856, as a private in Capt. Charles H. Eaton's company, First Regiment Washington Volunteers. He is a pensioner at \$8 per month under the Indian war service acts of July 27, 1892, and June 27, 1902.

He is 78 years of age, and evidence filed with this committee shows that his right hand is useless from atrophy of muscles and contraction of tendons; that he suffers from extreme deafness and other infirmities of old age, and is totally disabled for manual labor. It also appears that he is poor and without means of support other than his pension. There are many precedents for special legislation in cases of this character, and increase of pension to \$16 is recommended.

S. 3687. Robert S. Kariho, the claimant in this case, enlisted June 5, 1898, for service in the War with Spain in Company E, Second United States Volunteer Infantry, and was discharged June 22, 1899. He again enlisted September 7, 1899, in Company E, Thirty-eighth United States Volunteer Infantry, and was discharged January 14, 1901. He filed a claim under the general law February 26, 1901, based on chronic diarrhea causing prolapsus of rectum and piles contracted in March, 1900, while doing duty in the Philippine Islands. The claim was admitted for chronic diarrhea and disease of rectum at \$6 per month from date of application, which rate was subsequently increased to \$8 from May 18, 1904; to \$14 from July 7, 1909, and to \$17 from September 28, 1910. Application for further increase, filed April 18, 1911, was rejected July 21, 1911, on the ground that his condition was largely due to disease of lungs.

Claimant was last examined June 7, 1911, at Vinita, Okla., by a board of surgeons who rated him seventeen-eightieths for chronic diarrhea and disease of rectum, third grade (\$24) for disease of lungs, and seventeen-eightieths for general debility. The examining surgeons reported in part as follows:

This claimant is totally disabled from diarrhea, disease of rectum, and disease of lungs for the performance of manual labor, and if disease of lungs is pensionable he is entitled to second grade, or \$30 a month. While he is greatly disabled from disease of rectum and diarrhea, he is more so from disease of lungs.

Dr. C. J. Wells, of Grove, Okla., testified in affidavit filed May 11, 1911, that he has treated soldier for chronic diarrhea from time to time since 1902, which has weakened his system so much that he has contracted tuberculosis and is now in the secondary stage and is

totally disabled for performing manual labor of any kind. Medical evidence submitted to the committee shows that claimant is suffering from chronic pulmonary tuberculosis in an advanced stage and is absolutely unable to do labor of any kind. He is 38 years of age and very poor and is partly dependent upon the labor of his wife, who takes in washing and sewing to help in their support.

Additional evidence more recently filed shows that soldier's wife is now also suffering from pulmonary tuberculosis. It is believed that the evidence in this case warrants increase of soldier's pension to \$30 per month for disabilities resulting from the military service.

S. 2833. John T. Peel enlisted August 24, 1899, as a private in Company A, Thirty-sixth United States Volunteer Infantry, and was discharged at the Presidio, San Francisco, Cal., January 16, 1901, his services being no longer required. He is pensioned under the general law at \$6 per month for chronic diarrhea, admitted to have been of service origin. He also claimed on account of disease of eyes, alleged as a result of heat exhaustion in the Philippine Islands, October 3, 1900. He filed his application November 3, 1902, but the same was rejected on the ground of no record or other satisfactory evidence to prove service origin.

The records of the War Department show that claimant was treated October 3 to 28, 1900, for heat exhaustion while at target practice at Anda, P. I., October 3, 1900, in line of duty.

Clarence Carney, comrade, testified in affidavit filed February 5, 1906, that claimant was treated for dysentery; that he also had trouble with his eyes; that he saw him bathe them; that claimant told him the pain in his eyes was due to being overcome with heat at Anda, P. I.

David Gregg, comrade, testified in affidavit filed December 27, 1904 that claimant was overcome with heat exhaustion in service and always complained of having awful pain in his eyes and was constantly bathing them.

Eugene Hill, comrade, stated in affidavit filed November 18, 1904, that claimant was prostrated by sunstroke at Anda, P. I.

Frank Clinenhegg, comrade, testified in affidavit filed February 18, 1904, that claimant had trouble with his eyes from the time of his having heat exhaustion. Edmund W. Cordes, comrade, testified that claimant told him that since he had a sunstroke his eyes pained him. Continuance of disability is shown by the testimony of several reputable witnesses.

Claimant was last examined April 11, 1906, by a full board of surgeons, who rated him \$8 for chronic diarrhea and results and \$6 for impaired sight. He is 40 years of age and very poor. It appears to the committee that the claimant has made out a fairly good case and that he should have increase of pension to \$12 per month.

S. 3825. Perry L. Sargent was a private and wagoner in Company G, First Regiment Nebraska Volunteer Infantry, and served in the Philippine Islands during the War with Spain. The official records show that he enlisted April 27, 1898, and that he was honorably discharged December 12, 1898. He filed and established a claim for pension under the general law and is pensioned at \$17 per month for rheumatism and resulting disease of heart and disease and resulting total deafness of right ear, admitted to have been of service origin. Application for increase filed April 29, 1911, was rejected

July 10, 1911, on the ground that claimant's condition was largely due to injury of left thigh received two years ago.

When this claimant was last medically examined, June 7, 1911, he was rated seventeen-eightieths for rheumatism and injury to left thigh; six-eightieths for disease of heart; and six-thirtieths for deafness in right ear. The examining surgeons reported in part as follows:

General condition: Feeble, trembling, and unable to walk without crutches, from general condition and injury to thigh. The rating above on rheumatism includes injury to thigh, which is not entirely separated.

Claimant is about 56 years of age and very poor, having no means of support other than his pension. Evidence accompanying the bill shows that he is totally disabled for manual labor and is only able to get about on crutches. There is no doubt but what a great portion of his disability is due to severe injury received since his discharge from the Army, but giving him the benefit of the doubt, the committee recommend increase of pension to \$24 per month as proposed in the bill.

S. 4678. Rachel T. Beck is the widow of William H. Beck, late lieutenant colonel Third Regiment United States Cavalry and brigadier general United States Army.

Gen. William H. Beck was born in Pennsylvania June 29, 1842. He entered the Army April 16, 1861, at the first call for troops, as a private in Company B, Tenth Illinois Infantry, to serve three months, and was honorably discharged July 29, 1861. He reenlisted September 20, 1861, as private in Company C, Sixth Illinois Volunteer Cavalry, and was shortly afterwards appointed regimental quartermaster sergeant. He was promoted to be first lieutenant and adjutant of his regiment November 1, 1862, and was compelled to resign his commission by reason of physical disability February 28, 1863.

Gen. Beck was appointed to the Regular Army as second lieutenant Tenth Cavalry June 18, 1867. He was promoted to first lieutenant December 11, 1867; to captain December 23, 1887; to major Sixth Cavalry February 2, 1901; to lieutenant colonel Third Cavalry April 15, 1903; and to brigadier general United States Army April 7, 1905. He was placed on the retired list April 8, 1905. He served in the Philippine Islands as colonel Forty-ninth United States Volunteer Infantry from September 13, 1899, to June 30, 1901, being detached from the Regular Army for that purpose. He served in the Civil War, the Spanish-American War, and in the Philippine insurrection, and also in many campaigns against hostile Indians in the West. He served his country honorably and faithfully for 40 years. The record shows that Gen. Beck died November 26, 1911, from disease of kidneys, contracted in line of duty. His widow is pensioned under the general law at \$30 per month, which is the highest rate obtainable from the bureau. She was married to her soldier husband August 21, 1863, and is now past 67 years of age. The following is her sworn statement, upon which she asks for increase of her pension:

CITY OF WASHINGTON, *District of Columbia*, ss:

Personally appeared before me, the undersigned authority, one Rachel T. Beck, who, upon being duly sworn according to law, deposes as follows:

"I am the widow of the late William H. Beck, who was a retired brigadier general of the United States of America at the date of his decease, November 26, 1911; that

my total income at the present time is \$35 per month; that this income is derived as follows: Thirty dollars a month pension from the United States Government and \$5 a month income from \$3,000 which is deposited in the United States Trust Co. Bank in the city of Washington; that I have no other income of any kind and have no expectation of having any; that \$35 a month is not sufficient to provide for my actual bodily needs; that my deceased husband entered the military service of the United States in April, 1861, in response to the first call of President Lincoln, and that he served constantly in said service from that date until the date of his death, either as an officer of the Army or in a civil capacity; that he served through the Civil War until incapacitated by wounds received in action; that he served through five Indian campaigns; that he served with distinguished gallantry through the Spanish-American War, being one of five officers who was recommended for brevet rank in both the battles in Cuba; that he served for three and one-half years during the insurrection in the Philippine Islands; that he was actually engaged in over 14 battles and skirmishes during his military career; that he was selected to be colonel of the Forty-ninth Volunteer Infantry because of his previous record; that he lost his right leg as the result of injuries received and disease contracted in the line of duty, and that the expense incident to caring for him during the last few years of his life because of the loss of this leg made it impossible to prepare for the future during his life. It is for these reasons that I ask an increase in pension. The statements made herein can be corroborated by reference to the War Department records and by reference to former President Theodore Roosevelt and Maj. Gen. Leonard Wood, Chief of Staff of the Army, both of whom were personally acquainted with Gen. Beck; that it is requested that the appended true copy of President Roosevelt's letter be considered in connection with this matter, and it is further requested that Maj. Gen. Wood be called before the Pension Committee to testify.

"Further deponent saith not.

"RACHEL T. BECK."

Sworn and subscribed to before me this 25th day of January, A. D. 1912.

[SEAL.]

GEO. S. LIVINGSTON,
Notary Public.

It is believed that the distinguished services of the soldier and the widow's necessitous circumstances warrant increase of her pension to \$50 per month, which amount has occasionally been granted to widows of officers of her husband's rank in similar cases.

S. 5341. Arthur W. S. Maw, the applicant, served in the Regular Army for six years and five months. His claim for pension, filed January 24, 1912, is based on nervous breakdown, which he alleged he incurred at Governors Island, N. Y., by being obliged to perform arduous duties for three weeks from 6 a. m. until 10 p. m. As bearing on his case attention is invited to the following letter received by the chairman of this committee from Hon. L. Stillwell, First Deputy Commissioner of Pensions:

DEPARTMENT OF THE INTERIOR,
BUREAU OF PENSIONS,
Washington, February 1, 1912.

Hon. P. J. McCUMBER,
United States Senate.

MY DEAR SENATOR: In response to a phone message yesterday from Mr. R. W. Farrer, clerk Senate Committee on Pensions, for information relative to one Arthur W. S. Maw, who served in the United States Army, I have the honor to state that it appears from the records of this bureau that this soldier, under date of January 24, 1912, filed an application for invalid pension under the act of July 14, 1862, No. 1401120, in which he alleged that he incurred "nervous breakdown" while in the United States Army.

It is shown by a report from the records of the War Department that this man enlisted August 10, 1903, in Company E, Fourteenth United States Cavalry; was discharged therefrom August 9, 1906; reenlisted January 10, 1907, in the general service, and was transferred to Company I, Fourth United States Infantry.

He subsequently served in Company E, Tenth United States Infantry, and Company I, Twenty-seventh United States Infantry, and was discharged January 10,

1910, by reason of expiration of term of enlistment. He again enlisted May 18, 1910, and was discharged October 23, 1910, for disability.

He again enlisted August 3, 1911, in the Coast Artillery Corps under the name of John M. Russel, and was discharged therefrom August 19, 1911, on account of fraudulent enlistment in the last-named organization.

No testimony whatsoever has been filed in this claim, and it may be presumed that final action will be taken therein without delay.

Further replying to your inquiry as to what is known concerning this man, it may be proper to add that he has been cared for during the past week by charity, and it seems that he is demented, is without means, and in such a deplorable condition that some authority should take him in hand in the interest of humanity.

I obtained from him information that he had been in an insane asylum, and in various hospitals at different times since leaving the service.

In view of the fact that his last enlistment, while demented, is considered by the War Department as having been fraudulent, and the further fact that he is not a warsoldier, he is not entitled to admission to the United States Soldiers' Home, in this city, nor to any of the volunteer homes throughout the country.

It would seem that the only way in which relief can be afforded by the Government to this poor unfortunate soldier, who rendered two terms of honorable service, would be by a special act of Congress.

Very respectfully,

L. STILLWELL,
First Deputy Commissioner.

It thus appears that claimant was three times examined for enlistment and pronounced sound, and he was accepted as fit for service as a soldier. On his first enlistment he served three years, on his second enlistment three years, and on his last enlistment five months. The interval between his first and second enlistments was five months and between his second and third enlistments a little over four months, and, excepting these short intervals, his service was continuous. He was for a time on duty in the Philippine Islands.

The Commissioner of Pensions rejected the application on the ground that his disability was not due to the military service, but to causes existing prior to enlistment. This rejection was based on the certificate of disability upon which soldier was discharged from his third enlistment. We think, however, such action premature and not wholly warranted. Having been accepted as sound at his enlistments and being unable since his discharge to earn a living by manual labor, it would seem that he is entitled to pension, and the committee recommend the allowance of \$20 per month proposed in the bill.

S. 5388. William H. Sterling was a private in Company K, First Regiment Colorado Volunteer Infantry. He served during the war with Spain in the Philippine Islands from May 1, 1898, to September 8, 1899, and was honorably discharged. He was wounded by a mauser bullet in the left arm at Manila July 30, 1898, and is now pensioned under the general law at \$8 per month. He was first pensioned at \$6 per month from September 16, 1899, and increased to his present rating of \$8 from December 4, 1907. Claim for further increase was rejected February 5, 1912, and claim on account of rhinitis, laryngitis, bronchitis, and rheumatism of left hip was rejected on the ground that a ratable disability therefrom was not shown to exist.

Claimant was sound and in good health when he enlisted. It appears from the record and other evidence on file that he became mentally afflicted at discharge as a result of his service in the Tropics and was treated in hospital and a private sanitarium for some months. It further appears as a result of his illness and his suffering from wound he has never recovered and is now very poor and unable to earn

a livelihood for himself and family. He had considerable money saved before his enlistment and also during his service, all of which was spent on doctors, hospitals, and nurses during his sickness contracted in the Army. He has twice been operated on for hemorrhoids since his discharge, and the testimony of his physician is that he is physically weak and poorly nourished and unable to earn a living by manual labor. Neighbors testify as to claimant's ill health and good habits, and that he is without means for his support.

While the evidence is not such as would warrant the granting of an increased pension under the department rules, it appears to the committee that the case is one of merit. There is no doubt but that he was wounded in service and that he was mentally afflicted at date of discharge from exposure in the Philippine Islands, and that he has been in poor health and disabled since his return from the Army. It is believed that a reasonable increase of pension to \$30 per month may properly be provided in his case, which amount he would have received had the Pension Bureau accepted the proof of his present condition as being wholly due to service.

S. 5457. John Lehr served in the War with Spain as a private in Company D, Third Regiment New Jersey Volunteer Infantry; was enlisted April 27, 1898, and honorably discharged February 11, 1899. His claim for pension filed March 20, 1906, is based on malarial poisoning and rheumatism contracted in camp at Sandy Hook, N. J., and Athens, Ga. The claim was finally rejected May 16, 1910, on the ground of no satisfactory evidence of continuance of malarial poisoning from date of discharge, and no record or other satisfactory evidence to prove service origin and continuance of rheumatism.

The company muster rolls show claimant sick in quarters July 17 to 19, 1898; August 15 to 20, 1898, and January 8 to 10, 1899, and in hospital September 11 to 17, 1898, and October 19 to 23, 1898. The medical records show that he was treated at different dates while in the service for acute diarrhea, intermittent fever, headache, malaria, constipation, and acute bronchitis.

Theodore F. Richart, hospital steward, testified that he remembers soldier as a patient in hospital suffering from rheumatism and malaria.

Charles H. McGinnis, comrade, testified that while at Fort Hancock in the year 1898 soldier was confined to hospital suffering from fever, and he was discharged from there and furloughed for some time after leaving the hospital.

George F. Baier, comrade, testified that soldier was very ill at Athens, Ga., and was suffering from fever, and that on several occasions he was unable to be at meals, and when meals were sent to him he was unable to eat them.

Frank Promanski, neighbor, testified that he first saw soldier after his discharge about October, 1905, and he was unable to perform manual labor in such a manner as to give his family the needed support on account of rheumatism and malarial fever and a general breaking down of health, and was unable to hold a job for any length of time.

Felix Wierzbrick, neighbor, testified that he saw soldier after his discharge, about October, 1905, and he was unable to perform manual labor to support his family properly on account of rheumatism and malarial fever; that affiant worked with him, and that he was unable to labor but part of the time.

Dr. Charles V. Webb testified that he treated claimant at intervals between September, 1904, and April, 1905, for malaria and rheumatism, and he was not able to do hard work during that time, and he told affiant he had not been well since he came home from the Spanish War.

Dr. C. W. S. Frost testified March 24, 1910, that he treated claimant about five years ago for malaria and rheumatism of both shoulders and the muscles of the chest; that claimant was sick and confined to the house for about six weeks, and that at the present time claimant presents a very sickly appearance and is in no condition to perform manual labor.

Dr. William C. Bowers testified that he treated claimant in summer of 1910 for rheumatism, malaria, and stomach trouble, and that claimant is evidently a chronic invalid and unable to perform any ordinary labor, and from his history and present condition it is evident that he has been in bad condition for some time past.

Dr. William B. Cogswere testified that he treated claimant on one occasion during the summer of 1910 for rheumatism and stomach trouble, and that claimant is not able to perform ordinary labor.

Dr. John W. Wright testified that he attended claimant for pain in the back, in lumbar region, which confined him to the bed for a period of about 10 days, and prevented him from following his usual occupation from November 10 to 25, 1909; that after his recovery he was again attacked by pain in the left shoulder and side, muscular in character, which again confined him to his bed for a week from December 2 to 9, 1909.

Dr. Robert Landes testified that he attended soldier from January 11 to February 1, 1910; that soldier has severe pain in the cardiac region during some of the time, and that it extended down the left arm; that heart action was weak and irregular at times, with some difficulty in breathing, and that he is partly disabled for manual labor.

Dr. John F. Hayes testified that claimant came under his treatment for rheumatism, subacute and muscular, in 1908 and 1909, and was treated for same and that claimant's general health was much impaired at the time.

Claimant was examined May 2, 1906, by a board of bureau surgeons who reported no ratable disability from any cause. He was again examined April 20, 1910, by a board of surgeons and rated \$2 for malarial poisoning; \$3 for heart disease, and \$3 for disease of lungs.

Accompanying the bill is the affidavit of Dr. William C. Bowers, who states that about two years ago he treated claimant for rheumatism and malaria; that at various times, about four in number, since that time he has treated claimant for rheumatism, diarrhea, and bronchitis of chronic type, and that a recent examination shows claimant is suffering from articular rheumatism and tuberculosis and is so weak that he is unfit for any kind of manual labor.

Claimant is 43 years of age and very poor. Neighbors testify in affidavits filed with this committee that he is sick and unable to work and is partly dependent upon charity for the support of himself and family. From the evidence filed in the case the committee conclude that claimant is disabled, by reason of disease contracted in the service to the extent of being partly disabled for manual labor, and recommend an allowance of \$12 per month.

S. 5476. Willson G. Nowers, of Beaver, Utah, served in the Utah Indian War from July 28, 1853, to September 3, 1853, in Capt. Hancock's company of Cavalry, Nauvoo Legion, Utah Volunteers. He is in receipt of the pension of \$8 per month provided by the Indian war service acts of July 27, 1892, and June 27, 1902.

It appears, however, from evidence filed in the case that the claimant is 84 years old and that he is feeble and broken down from heart and stomach troubles and the infirmities of age, and is no longer able to perform manual labor for his support. It further appears that he is poor and needy and without other means of support than his pension. In such cases your committee usually grant substantial relief by doubling the pension, and increase to \$16 is therefore recommended.

S. 5640. Winfield S. Gibbs, of Yamhill, Oreg., served in the Oregon and Washington Territory Indian War from May 1, 1856, to June 20, 1856, as a sergeant in Capt. John Guess's company minute men, Second Oregon Mounted Volunteers. He is receiving the pension of \$8 per month provided for the veterans of the early Indian wars by the acts of July 27, 1892, and June 27, 1902.

It appears, however, from evidence filed with this committee that the claimant is 79 years old and that he is in feeble health and physically unable to perform manual labor, and is without means of support for himself and wife other than his small pension. In such cases your committee usually grant substantial relief by doubling the pension, and increase to \$16 is therefore recommended.

S. 5656. Marcellus Moore, of Hochheim, Tex., was a private in Capt. Bagby's company of Texas Mounted Volunteers, and served from October 20, 1850, to March 5, 1851, in the Texas and New Mexico Indian War. The pension which he draws at present is \$8 per month under the Indian war service acts of July 27, 1892, and June 27, 1902.

It appears, however, from evidence filed in the case that the claimant is past 80 years of age and that he is practically helpless from palsy and the infirmities of old age and is absolutely and entirely unable to do anything whatever in the way of earning a living. It further appears that he is destitute and without other means of support than his small pension. His case is worthy of favorable consideration, and the committee recommends increase of pension to \$16 per month, for which there are numerous precedents.

Your committee recommends the passage of the bill.

On page 1 strike out all of lines 6, 7, and 8. This is the case of Michael Grace, whose service commenced March 31, 1866, and ended March 31, 1869. The alleged disabilities, hernia and asthma, it is claimed were contracted in August and October, 1866, though there was two and a half years service afterwards without evidence of either disability. A bill in this claimant's behalf passed the Senate in the Sixty-first Congress, but was defeated in the House, and after conference the Senate agreed to the House action. The evidence does not connect the alleged disabilities with the military service, in the judgment of your committee, and they think the pension should not be allowed.

On page 2 strike out all of lines 11 to 14, inclusive. This is the case of Perry L. Sargeant, who is pensioned at \$17 per month. The bill proposes to increase the rate to \$24, but inasmuch as such action is based on a disability received since discharge and not pensioned, your committee think the proposed increase is not warranted, and recommend its disallowance.

On page 2 strike out all of lines 20 to 23, inclusive. This is the case of Arthur W. S. Maw, a Regular Army soldier, who had four terms of service, commencing August 10, 1903. He was discharged from the third term of enlistment on account of disability not due to service, and from the last one, after 16 days' service under an assumed name, without honor because of fraudulent enlistment. The claim was filed in the Pension Bureau January 24 and rejected February 3, 1912, without medical examination or other evidence except the record. The War Department record indicates that the man is a victim of venereal disease, and perhaps of some form of "dope," and, in the judgment of your committee, pension, if allowed, would be based on service alone and not for disability contracted in service and line of duty. They think the item should be stricken out of the bill.

On page 3 strike out the word "thirty" and insert in lieu thereof the word "sixteen." This is the case of William H. Sterling, who is pensioned at \$8 per month for a wound of left arm. The bill proposes to increase the rate to \$30 per month on account of other causes of disability not established as of service origin. Your committee think an increase to \$16 per month would be a liberal allowance, and they recommend such action.





PENSIONS AND INCREASE OF PENSIONS FOR CERTAIN
SOLDIERS AND SAILORS OF THE REGULAR ARMY, ETC.

MAY 2, 1912.—Committed to the Committee of the Whole House and ordered to be printed.

Mr. RICHARDSON, from the Committee on Pensions, submitted the following

REPORT.

[To accompany S. 6384.]

The Committee on Pensions, to whom was referred Senate bill 6384, have examined the same and report.

The report of the Committee on Pensions of the Senate, hereto appended, is in part adopted, and the passage of the bill is recommended when amended as set out at the close of this report, the reasons for such amendments there being stated.

[Senate Report No. 630, Sixty-second Congress, second session.]

This bill is a substitute for the following Senate bills referred to the committee:

S. 559. Martin Markeson.	S. 3601. William A. Hickok.
799. Rebecca Strouther.	5216. William Quinlivan.
2525. Frederick S. Barrows, Jr.	5655. Mary Meade Sands.
2850. Maggie Boutiette.	6023. Francis M. Tibbetts.
3301. William H. Hinkel.	6326. William E. Bailey.
3585. William C. Emission.	

The following are the facts ascertained by the committee concerning the case of each beneficiary in said bills, and the conclusions of the committee as to the proper amount of pension or increase which should be granted:

S. 559. Martin Markeson, the claimant, enlisted August 12, 1899, and served until May 2, 1901, as a private, corporal, and sergeant in Company F, Thirty-fifth United States Volunteer Infantry. He first filed an application for pension May 9, 1901, and again May 14, 1906, and April 8, 1908, alleging that while in service and line of duty in the Philippine Islands he contracted stomach trouble, diarrhea, malaria, rheumatism, and other ills. The claims were rejected on the ground that claimant has had no pensionable disability from causes alleged since date of filing his applications.

The certificate of claimant's first examination, July 24, 1901, showed that he was then suffering from diarrhea, rated at \$8; disease of rectum, rated at \$6; disease of heart, rated at \$6; and partial deafness, rated at \$10. Certificate of examination in June, 1906, showed disease of heart, rated at \$6; and his last certificate of examination, in January, 1910, showed flat foot of both feet, with pains in feet and calves of legs, rated at \$6. Other certificates of examination in November, 1901, and February, 1904, showed no appreciable disability from any cause.

It appears from the evidence that claimant was sound and in good health when he enlisted. The official records show that he was treated while in service October 24 to 26, 1899, for acute gastro-enteritis; December 22 to 24, 1899, for acute muscular rheumatism both arms, shoulders, and lumbar region; February 12 to 27, 1901, for acute gastritis; and March 3, 1901, for acute muscular rheumatism both legs, and comrades testify to his being sick and in hospital during service, complaining of stomach trouble, malaria, and rheumatism.

Evidence of physicians and neighbors filed in the bureau is to the effect that claimant has been in poor health since his discharge from the Army, suffering from gastritis, rheumatism, and other complaints, and has been more or less disabled for following his occupation as a baker.

Soldier is about 47 years of age, poor, and without means of any kind. Filed with this committee is a large number of letters from reputable citizens indorsing his claim. As bearing on the merits of the claim the following statement is made by Senator Jones, who introduced the bill in soldier's behalf:

WASHINGTON, D. C., February 7, 1911.

THE CHAIRMAN COMMITTEE ON PENSIONS,
United States Senate.

In regard to Martin Markeson, for whom a special bill is pending (S. 7775), I desire to say that I met this man personally last fall and talked with him. I found him in a very feeble condition; he seemed to be almost a physical wreck. I did not know him before he enlisted in the military service, but from the best information I could obtain from those who knew him well he was a strong hearty man. It is the opinion of those with whom he associates and comes in contact, and I presume it is true, that his physical breakdown was caused by his service while in the Army.

I hope that the committee will feel justified in recommending him for a generous allowance.

Very respectfully,

W. L. JONES.

There is nothing in the soldier's record that is not favorable, as is evidenced by the fact that he was advanced from private to the grade of corporal and sergeant, nor is there any doubt that he was sick in service and ought to have relief now, and your committee are of opinion that a pension of \$12 per month would be an equitable allowance in his case.

S. 799. Rebecca Strouther is the dependent mother of Charle Strouther, who served in the Philippine Islands in Company G, Forty ninth Regiment United States Volunteer Infantry, War with Spain. Her application for a pension was denied on the ground that her soldier son's death was not from causes incurred in line of duty.

The official records show that soldier enlisted as private in above organization October 2, 1899; that he was honorably discharged June 30, 1901, as of the date of the muster out of his company; and that he died July 9, 1901, from results of stab wound of side and chest inflicted by a comrade for not lending him money. Soldier's statement to the discharging officers June 30, 1901, was as follows:

I had refused to loan Private Latimore, Company B, Forty-ninth Infantry, United States Volunteers, some money, and he threatened to kill me. About two weeks later, on the evening of May 13, 1901, he came to my bunk and stabbed me in the dark as I was going to retire.

A surgeon and assistant surgeon of the Army stated that soldier's wound was received in line of duty in a premeditated attack on him by Private Latimore, of Company B, Forty-ninth Infantry United

States Volunteers. The report of Gen. F. C. Ainsworth, then Chief of Record and Pension Office, War Department, in 1902 and 1903, stated, however, that it is conclusively shown by the records that soldier's wound was not received in line of duty, and it is on this account that the claim of the applicant for pension was rejected.

The mother is about 65 years of age and is without means of any kind for her support. Her soldier son was never married and left no widow or child or children under 16 years of age surviving him, and she looked to him for help and maintenance in her old age. Soldier's father is living, but he is shown to be about 80 years of age, infirm, and unable to do any kind of labor or contribute to the claimant's support, and they are partly dependent upon public charity. Giving the claimant the benefit of the doubt only in part, the committee are of opinion that she is equitably entitled to a pension of \$12 per month.

S. 2525. Frederick S. Barrows, jr., served in the War with Spain as corporal in Company K, Third Wisconsin Volunteer Infantry; was enlisted April 28, 1898, and honorably discharged September 11, 1898. His claim for a pension filed March 6, 1903, founded on disease of eyes, chronic diarrhea, and malarial poisoning, stands rejected, the two former disabilities on the ground that they existed before enlistment, and the claim for malarial poisoning on the ground of no record or other satisfactory evidence connecting said disability with the military service.

The company muster rolls show claimant sick in quarters June 1, 1898; returned to duty June 3, 1898; and sick in quarters from August 24 to September 9, 1898. The medical records show that he was treated while in the service from August 3 to September 9, 1898, for diarrhea, acute.

W. W. Warren, captain, testified that claimant was ill with fever in service in Porto Rico in August, 1898. John B. Edwards, regimental surgeon, testified that claimant was sick with diarrhea in service, and several comrades testify to the service existence of fever and diarrhea while claimant was in the Army. Continuance of diarrhea and effects of malarial poisoning from the time of claimant's discharge is shown by the evidence of neighbors and physicians who have treated him.

The report of the examining board of surgeons, dated June 3, 1903, showed disability from malarial poisoning for which a rating of twelve-eighteenths (\$12) was recommended.

It is shown by the evidence that claimant had some eye trouble before enlistment, for which he wore glasses for some time. The disability recurred in December, 1898, and has continued to afflict him to the present time. Apart from the eye trouble it would appear from the evidence that claimant had no disability before service except hydrocele and occasional attacks of indigestion attended by constipation, and it is because of the latter that his claim for pension for diarrhea was rejected, the theory of the Pension Bureau being that the latter disability was a manifestation of bowel trouble existing before enlistment.

Upon examination of the evidence the committee conclude, first, that claimant's disease of eyes is not established as due to the military service and, second, conceding him the benefit of the doubt, that he may be properly granted a pension of \$12 per month for other disabilities probably contracted in the service.

S. 2850. Maggie Boutiette is the widow of Cyril Boutiette, late scout and guide, United States Army, who served in the Northwest country under Gen. Henry H. Sibley during the years 1864 and 1865. He was pensioned by certificate No. 1105575, under the provisions of a special act approved February 20, 1905, at the rate of \$12 per month, the report from the Senate Committee on Pensions giving the facts in his case being as follows:

Cyril Boutiette, of Wahpeton, N. Dak., was a scout and guide in the United States Army and served in the Northwest country under Gen. Henry H. Sibley during 1864 and 1865. He took part in several expeditions against hostile Sioux Indians, and with other scouts located Fort Rice on the banks of the Missouri River and also located and built Fort Wadsworth, Dak. T. During one of the expeditions against the Indians claimant was accidentally wounded in the left leg, for which he was treated in hospital and by which he has been disabled ever since.

Claimant's service as a scout is a matter of record in the War Department, a report from the Quartermaster General of the Army on file in the Pension Bureau showing his employment as a scout from May 23, 1864, to September 30, 1864.

The hospital records on file in the War Department show claimant's treatment for wound, he having been admitted to post hospital at Fort Wadsworth, Dak. T., September 29, 1864, with gunshot wound and was treated to October 17, 1864.

Claimant made application for pension at the bureau January 14, 1885, but, not having been a regularly enlisted man of the Army, his application was denied, and for this reason he appeals to Congress for relief. He was examined by a surgeon for the bureau March 18, 1885, and his disability from wound and results rated at \$12 per month.

Evidence filed with this committee from some of claimant's fellow scouts confirms the records regarding his service and wound. One of these scouts, William L. Quinn, was pensioned by special act during the third session of the Fifty-fifth Congress for the service rendered with Gen. Sibley during the war.

Claimant is now well advanced in years, in destitute circumstances, and unable, through sickness and age, to earn a living.

While claimant was not mustered into the military service, yet he performed emergency service in connection with the Army and was wounded, and his case comes within the rules of this committee.

In view of this fact and the further fact that one of the scouts who served with him has been pensioned by special act, your committee are of opinion that justice requires similar action in this case.

The bill is therefore reported back favorably with a recommendation that it pass.

Cyril Boutiette died November 1, 1905, leaving the claimant, as his widow, surviving him. Her marriage to him April 1, 1886, is proved, and she lived with him as his wife until his death and nursed and cared for him in his last illness. She is now about 62 years of age, and evidence filed with this committee shows that she is in a very feeble state of health and physically unable to earn a living, and that she is also in destitute circumstances, having no means for her support.

Claimant is unable to obtain pension at the bureau on account of her husband not having been an enlisted man. Your committee are of opinion, however, that the right of the husband to a pension having been determined by Congress after full consideration of the facts in his case, similar recognition should be accorded to the widow and that she also should have a pension of \$12 per month.

S. 3301. William H. Hinkel enlisted in the Regular Army May 27, 1889, in Troop H, Fifth United States Cavalry, and was discharged February 9, 1891. He reenlisted May 23, 1895, in Company H, First United States Infantry, and served a term of three years, being discharged May 22, 1898. He again enlisted June 7, 1898, in Company B, Eighteenth United States Infantry, and was discharged in the Philippine Islands September 18, 1899, by reason of the close of the War with Spain. He was allowed a pension and now draws \$12

per month for gunshot wound of left hand and malarial poisoning, the latter as well as the wound having been shown to have originated in the military service. He was first pensioned at \$4 from June 29, 1892; increased to \$6 from April 25, 1893; to \$8 from March 21, 1906, and to \$12 from May 6, 1908. Claim for further increase filed March 27, 1911, was rejected July 8, 1911, and sciatic rheumatism alleged as a result of malarial poisoning was said by the medical referee not to be shown a result. The record evidence shows that soldier contracted tonsillitis in the service, and there is evidence that he has suffered from repeated attacks of same since his discharge, but the medical referee rejected the claim for that trouble on the ground that a ratable degree therefrom was not shown to exist.

When claimant was last medically examined, May 3, 1911, by a board of bureau surgeons, he was rated \$6 for wound of left hand with loss of middle finger; \$10 for rheumatism, and \$4 for pharyngitis. Dr. Earl R. Steen testified in affidavit filed March 27, 1911, that he had treated soldier for chronic malarial poisoning, tonsillitis, and a persistent and very severe case of sciatica; that during the past 10 months claimant has been so disabled from sciatica, which in his case is caused by chronic malaria and numerous attacks of tonsillitis; that he has worked but 30 days; that he is so badly disabled that his earning capacity within the past three years has decreased fully 50 per cent. Evidence filed with this committee is to the effect that claimant is suffering from gunshot wound of left hand, chronic malarial poisoning, tonsillitis, and sciatic rheumatism, and that he is not able to do any manual labor. Claimant is 44 years of age and very poor, with a crippled wife and two young children dependent upon him for support.

Letters presented to your committee are to the effect that the soldier is wholly disabled for the performance of manual labor. In view of the fact that he has a crippled wife and two young children dependent entirely upon him for support, your committee believe they are justified in giving him the benefit of the doubt and allowing him \$30 per month, which is the amount he would have received at the Pension Bureau had he been able to prove conclusively his condition to be due to service.

S. 3585. William C. Emison served during the War with Spain as private and corporal in Company L, One hundred and fifty-ninth Regiment Indiana Volunteer Infantry; was enlisted April 26, 1898, and honorably discharged November 23, 1898. There is record evidence that he was treated for malaria in service and that he had rheumatism at discharge.

Soldier applied for pension under the general law May 27, 1899, alleging rheumatism contracted at Camp Alger, Va., July 15, 1898. The claim was admitted for rheumatism at \$10 per month, which is the pension he is now drawing. Application for increase, filed December 1, 1910, was rejected February 15, 1911.

When claimant was last examined by a board of bureau surgeons January 25, 1911, he was rated \$10 for heart disease, the result of rheumatism, and \$10 for rheumatism. Dr. Omar Fairhurst testifies October 19, 1911, that he has examined soldier and finds him suffering from chronic rheumatism and rheumatism of the heart; that his knee, ankle, and toe joints are stiff, also neck and back, and that by reason of above disabilities he is totally incapacitated for performing

manual labor. Claimant is 35 years of age and poor, being dependent upon his pension for support. It is believed that his condition is such that increase to \$20 is warranted, his disability being of service origin.

S. 3601. William A. Hickok served in the War with Spain in Company D, Third Wisconsin Volunteer Infantry; was enlisted April 28, 1898, and honorably discharged January 16, 1899. He applied for a pension November 16, 1903, alleging service origin of rheumatism and dysentery. The claim was rejected December 7, 1906, as to dysentery on the ground of no pensionable degree of disability since filing; as to rheumatism on the ground of no satisfactory evidence of continuance from date of discharge. Reopening has since been denied, and rejection was affirmed on appeal by the Secretary of the Interior.

The reports from the records of the War Department do not show treatment of soldier for any sickness while in the service. On his examination preliminary to discharge he stated to the discharging officer that he had diarrhea contracted at Ponce, P. R., in August, 1898, and the Army surgeon certified that claimant was suffering from chronic diarrhea.

The evidence shows that claimant was sound and free from physical defects at enlistment. G. F. Behnken, first sergeant, testified that about August 15, 1898, soldier was very sick with rheumatism, and was so bad at times that he was unable to walk and had to ride in the wagon. Archie E. Booth, comrade, testified that soldier had diarrhea several times very bad, and that he slept on wet grounds, and if he has rheumatism it was no doubt caused by exposure to rains without proper shelter. Harry J. Lyon, comrade and company clerk, testified that he put soldier on sick report September 5, 1898; that he was unable to do duty, and was quite sick from rheumatism. Dan W. Stevens, comrade, testified that soldier was troubled with rheumatism in service in August, 1898, and was unable to perform duty.

E. Hickok testified in affidavit January 7, 1911, that he had kept in touch with claimant from discharge to May, 1907, and that claimant had frequent and severe attacks of rheumatism, severe enough at times to incapacitate him for work and confine him to the house.

Frederick H. Poate testified that he worked with claimant in 1900 and 1901, and that claimant was troubled with rheumatism to the extent that he was laid up for weeks at a time.

Dayton Cordill testified that since his discharge from the Army claimant has been afflicted with rheumatism, and on several occasions was so helpless from that trouble that he could not even walk about the house.

C. S. Davis testified that during the winter of 1906 and 1907 claimant was laid up with rheumatism. Other neighbors testify to the continuance of rheumatism from 1904 and 1905. The only medical evidence on file in the case is that of Dr. L. H. Prince, filed November 5, 1910, who testified to having treated claimant on a few occasions during the past year when he was suffering from pain in his back, which affiant believes to have been due to rheumatism recurrent in character.

Claimant was examined January 6, 1904, by a full board of surgeons, who found disability from rheumatism, which they rated at six-eighths (\$6). No evidence of disability from dysentery was found, and claimant states that he recovered from that trouble several years ago.

Claimant is about 35 years of age and very poor. He is crippled by the loss of both legs, sustained since his discharge from the Army, not due to the military service and for which he has no pensionable status. Evidence of physicians and others filed with this committee shows that he is troubled a great deal with rheumatism; and giving him the benefit of the doubt, the committee recommend pension of \$10 per month for disabilities no doubt contracted in the military service.

S. 5216. William Quinlivan, the applicant, is now in receipt of a pension of \$12 per month from injury of right side of face and disease of right eye, admitted to have been of service origin. He claimed a further allowance on account of rupture of right side, alleged to have also been incurred in service and line of duty.

It appears from the official records that claimant served a total of 13 years in the Regular Army. His first enlistment was June 2, 1866, for three years, in Battery G, Fifth United States Artillery, from which he was discharged by expiration of service June 2, 1869. He reenlisted June 11, 1869, in Troop A, First United States Cavalry, and served continuously for 10 years, being finally and honorably discharged June 10, 1879.

The claim for rupture, filed March 7, 1901, was rejected by the Pension Bureau in July, 1903, on the ground of no hospital record showing treatment for same and that the testimony was insufficient to prove service origin. The proof shows that soldier was injured by being thrown by a vicious horse while on drill at Camp Harvey, Oreg., in 1877 or 1878. It was at this time that he incurred the disabilities for which he is at present receiving a pension. Several comrades have testified that he also received rupture at the same time, and the existence of that disability is established by the report of examining boards, commencing in January, 1890, different rates of \$6, \$8, and \$10 per month being recommended. The claimant is an old man of 67 years of age, in feeble health and in needy circumstances. In recent years he suffered from slight paralysis of one side, which, together with his other infirmities, preclude him from earning a support by manual labor. He was a good soldier, and it is believed that the evidence on file justifies a rating of \$20 per month for the disabilities incurred during his service in the Army.

S. 5655. Mary Meade Sands is the widow of the late Rear Admiral James H. Sands.

James H. Sands was appointed an acting midshipman in the United States Navy November 25, 1859, and was in active service continuously until July 12, 1907, when he was placed on the retired list. He was promoted through the several grades to the rank of captain from September 7, 1894, and to rear admiral April 11, 1902. He served nearly 50 years in his country's service in the Navy. During the Civil War he was ensign on the *Tuscarora*, *Juniata*, and *Shenandoah*, and at the breaking out of the War with Spain was in command of the cruiser *Minneapolis*. His last active service was as superintendent of the Naval Academy.

Admiral Sands died in this city October 27, 1911, of gastric catarrh, complicated with heart disease, which the Pension Bureau holds had its origin while he had the rank of captain.

The widow was married to the officer October 28, 1869, and is pensioned under the general law at \$30 per month. She is 65 years of

age; in very feeble health, being confined to her home from paralysis, and is left with but little means for the support of herself and two unmarried daughters. The following letter, addressed to the chairman of this committee, by Rear Admiral C. E. Clark, United States Navy, is of interest in the case:

- WASHINGTON, D. C., February 16, 1912.

HON. PORTER J. McCUMBER,
Chairman Senate Pension Committee.

DEAR SIR: I respectfully submit for the consideration of your committee the following facts relating to the proposed increase of pension to \$100 per month for Mrs. Mary Meade Sands, widow of Rear Admiral James Hoban Sands.

She has had a stroke of paralysis and has not been downstairs for months. She has no real estate and no personal property, except furniture and clothing. Her sole income is less than \$50 a month, this from two insurance policies left for the support of her two unmarried daughters as well as herself. The latter teach, sew, and copy, all they are able to, but one must always be with her mother.

Rear Admiral Sands was a model officer and man, whose bravery and devotion inspired my admiration and affection.

Mrs. Sands's uncle, Gen. Geo. G. Meade, commanded the Army of the Potomac in the decisive Battle of Gettysburg and after that under Grant until the Union was saved.

Her grandfather, Richard W. Meade, who was in Cadiz, Spain, during the long siege, aided the patriots financially in the struggle against Napoleon. The Spanish Government stipulated that he should be paid by grants in Florida when we took possession, but, though bills for his relief or his heirs have repeatedly passed either the Senate or the House, not a dollar has ever been recovered.

All the foregoing is true to the best of my knowledge and belief.

Very respectfully, yours,

C. E. CLARK,
Rear Admiral, United States Navy.

In view of the long and distinguished service of the officer and the helpless condition of his widow, and the further fact that Congress has repeatedly passed bills giving pensions of \$50 per month to widows of officers of the same rank where the needs are not so great as in this case, your committee believe they are justified in recommending an increase of pension to Mrs. Sands to \$50 per month.

S. 6023. Francis M. Tibbetts, of 183 Fourth Street, Portland, Oreg., and late private in Capt. W. W. Chapman's Company I, Second Regiment Oregon Volunteers, served in the Oregon and Washington Territory Indian War from October 10, 1855, to November 21, 1855, and from December 1, 1855, to February 14, 1856. The pension which he draws at present is the \$8 per month provided by existing laws for the survivors of the early Indian wars.

It appears, however, from evidence filed with this committee that claimant is 75 years old and that he is weak, disabled, and broken down, and wholly unable to perform manual labor for his support. It also appears that he is poor and without property or means of any kind and is in need of relief. In such cases your committee usually grant a measure of relief by doubling the pension, and increase to \$16 is therefore recommended.

S. 6326. William E. Bailey served as a private in Company A, Tenth Regiment Ohio Volunteer Infantry, in the War with Spain. He enlisted July 7, 1898, and was honorably discharged and mustered out March 23, 1899. His claim for pension, filed August 31, 1901, based on malarial fever, typhoid fever, and chronic diarrhea and results, was rejected by the Bureau of Pensions on the ground that there was no sufficient evidence to show that his disabilities resulted from the military service.

It is established that claimant was sound when he entered the service. This is attested by his examination at enlistment and by parole proof. He was then a man of 33 years of age, earning a good salary as a commercial traveler. It is shown by the War Department records that he was sick in service with fever, typhoid fever, and ivy poisoning. He had a severe spell of typhoid fever in the fall of 1898 and was in hospital for several weeks, and was later granted sick furlough for 30 days.

On his examination preliminary to discharge claimant averred that he was suffering from result of typhoid fever and intercostal neuralgia. His captain certified to intercostal neuralgia following severe attack of typhoid fever. The Army surgeon reported no evidence of intercostal neuralgia, but certified to functional heart trouble.

J. R. McQuigg, captain, testified that soldier was taken sick at Camp Meade, Pa., in October, 1898, and was sent to hospital, where he remained for some time, and later returned to the company but did but little duty to the date of discharge; that he complained of diarrhea, piles, and rheumatism, chiefly of the latter, which seemed to affect him most of the time; and that he did no duty from November 14, 1898, to March 23, 1899.

Dr. W. A. Westervelt, regimental surgeon, testified that soldier passed a good physical examination at enlistment; that he was admitted to regimental hospital November 22, 1898, at Camp McKenzie, Augusta, Ga., suffering from intercostal neuralgia, was much emaciated, in a very bad general condition, following an attack of typhoid fever while at Camp Meade, Pa.; that he was unable to do manual labor or, indeed, had complete muscular control; that he was discharged from hospital December 21, 1898, improved, but was unable to do active duty during the remainder of service and at time of muster out was almost entirely disabled for performance of manual labor.

N. P. Folen testified that from 1904 to 1906 claimant suffered from chronic diarrhea and malarial poisoning and during that time was disabled thereby for manual labor.

J. E. Temple and August Buchler testified, November 2, 1907, that they had known soldier one year; that he was not in a position, on account of disability, to perform manual labor and was sick for several months; that his disability was caused by malarial poisoning, rheumatism, disease of stomach, and chronic diarrhea.

Horace G. Bailey testified that he knows that claimant suffered from malarial poisoning and chronic diarrhea from 1902 to 1906 and was disabled for manual labor thereby.

The records of hospitals at Cincinnati, Ohio, show that soldier was treated from February 28, 1901, to March 14, 1901, for dysentery and from September 28, 1901, to December 3, 1901, for pulmonary tuberculosis.

Dr. J. M. Lowe testified, September 6, 1907, that he examined soldier and found him troubled with external and internal piles, chronic dysentery alternating with constipation, malarial poisoning, rheumatism, intercostal and lumbar, all of which render him unfit for manual labor.

Claimant was medically examined February 12, 1902, by a full board of bureau surgeons, who rated him \$8 for malarial poisoning, \$8 for hemorrhoids, and \$4 for intercostal neuralgia. He is 46 years

of age and very poor, having no means of any kind for his support. The salient features of his case are that he was sound at enlistment, that he incurred severe sickness in service and line of duty, and that he has been in poor health and more or less disabled for labor since his discharge. There seems but little doubt that his disabilities are due to his military service, and, believing that he should have the benefit of the doubt, if any exists, the committee report the bill favorably for pension at \$20 per month.

The passage of the bill is recommended.

On page 1 strike out lines 10 and 11, and on page 2 strike out lines 1 and 2. This is the case of Rebecca Strouther, dependent mother of a Spanish War soldier. The soldier died nine days after service from the results of a stab wound inflicted by a comrade a few weeks before discharge. The soldier claimed to have been stabbed by his comrade without provocation, because he had refused to lend money to the comrade. Gen. Ainsworth, then Chief of the Record and Pension Office, War Department, reported that the records conclusively showed that the wound was not received in line of duty. Under these conditions your committee think the claim should not be allowed.

On page 2 strike out all of lines 3 to 6, inclusive. This is the case of Frederick S. Barrows, jr. The claim is based on disease of eyes, chronic diarrhea, and malaria. The first two named causes of disability evidently existed before enlistment, and by including chronic diarrhea with malaria it is proposed to allow pension by conceding the benefit of all doubt in favor of the applicant. Your committee think that inasmuch as the claimant has alleged disabilities as of service origin which undoubtedly existed before service, he is not entitled to the benefit of a doubt with respect to another disability, and that the bill should not have favorable consideration.

On page 2 strike out all of lines 7, 8, and 9. This is the case of Maggie Boutiette, widow of an Army scout, not an enlisted man or officer of the Army. The scout, being a civilian, had no title to pension under the general law, but Congress, by a special act approved February 20, 1905, granted him a pension of \$12 per month for a wound of leg. He died November 1, 1905, and the bill proposes to pension the widow just because he was pensioned. Inasmuch as the scout did not die of the wound for which he was pensioned, nor of other cause shown due to his service, your committee think favorable action should not be taken. Allowance would mean widow's pension for service of a civilian without regard to death cause.

On page 3 strike out all of lines 1 to 4, inclusive. This is the case of Mary Meade Sands, widow of Rear Admiral James H. Sands. She is 65 years of age, and the Senate report states, in feeble health, with but little means for the support of herself and two adult daughters. One witness states that her income is less than \$50 per month from insurance money. The claimant receives \$30 per month pension, and in a sworn statement filed with a bill in the House, which has been adversely considered by this committee, she states that she has household property valued at about \$400, \$10,000 cash invested at 5 per cent interest, \$500 invested at 3.65 per cent interest, and \$3,777 cash in bank. Upon this showing your committee think the proposed increase of pension is not warranted.

62D CONGRESS,
2d Session.

} HOUSE OF REPRESENTATIVES. {



CRAYON PORTRAITS OF EX-SPEAKERS.

MAY 3, 1912.—Ordered to be printed.

Mr. LLOYD, from the Committee on Accounts, submitted the following

REPORT.

[To accompany H. Res. 264.]

The Committee on Accounts, to whom was referred House resolution 264, have had the same under consideration, and recommend that it be amended by adding after the last word of said resolution the following:

Provided, That no part of the cost of transmitting said portraits shall be paid by the Government.

When so amended its adoption is recommended.

This resolution provides that the crayon portraits of ex-Speakers, for which oil paintings were substituted, be given to the States whose Representatives the several ex-Speakers were.

Believing this a proper resolution, and that those who are to receive the portraits should pay the cost of transmitting them, the committee has recommended such amendment and the adoption of the resolution with the amendment.

○

62D CONGRESS,
2d Session.

HOUSE OF REPRESENTATIVES.



BRIDGE ACROSS RUSSELL FORK OF BIG SANDY RIVER, MILLARD, KY.

MAY 3, 1912.—Referred to the House Calendar and ordered to be printed.

Mr. HAMILTON of Michigan, from the Committee on Interstate and Foreign Commerce, submitted the following

REPORT.

[To accompany H. R. 23461.]

The Committee on Interstate and Foreign Commerce, to whom was referred the bill (H. R. 23461) authorizing the fiscal court of Pike County, Ky., to construct a bridge across Russell Fork of Big Sandy River at or near Millard, Ky., having considered the same, report thereon with a recommendation that it pass.

The bill has the approval of the War Department, as will appear by the letter attached and which is made a part of this report.

[Second indorsement.]

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF ENGINEERS,
Washington, April 30, 1912.

Respectfully returned to the Secretary of War.

The accompanying bill (H. R. 23461, 62d Cong., 2d sess.) authorizing the construction of a bridge across Russell Fork of Big Sandy River, at or near Millard, Ky., is in the usual form and makes ample provision for the protection of navigation interests.

So far as those interests are concerned, I know of no objection to its favorable consideration by Congress.

W. H. BIXBY,
Chief of Engineers, United States Army.

[Third indorsement.]

WAR DEPARTMENT, May 2, 1912.

Respectfully returned to the chairman Committee on Interstate and Foreign Commerce, House of Representatives, inviting attention to the foregoing report of the Chief of Engineers, United States Army.

ROBERT SHAW OLIVER,
Assistant Secretary of War.



PAYMENT OF EXPENSES INCURRED BY THE COMMITTEE ON THE
JUDICIARY IN MAKING INVESTIGATION AUTHORIZED BY HOUSE
RESOLUTION 481.

MAY 3, 1912.—Ordered to be printed.

Mr. LLOYD, from the Committee on Accounts, submitted the following

REPORT.

[To accompany H. Res. 486.]

The Committee on Accounts, to whom was referred House resolution 486, have had the same under consideration and recommend that it be amended as follows: In line 3, after "481," insert "to an amount not exceeding \$25,000," and that when so amended it be adopted.

This resolution provides for the payment of the expenses of the investigation authorized by House resolution 481 and is in the usual form for such resolutions.

The committee, believing that the House should have some idea as to the amount of expenses it is authorizing, recommends the amendment which limits the amount that is now authorized.

○

62D CONGRESS,
2d Session.

} HOUSE OF REPRESENTATIVES. {

REPORT
No. 658. ✓

TO CHANGE RULES OF THE HOUSE.



MAY 4, 1912.—Ordered to be printed.

Mr. HENRY of Texas, from the Committee on Rules, submitted the following

R E P O R T .

[To accompany H. Res. 521.]

The Committee on Rules, to whom was referred the resolution (H. Res. 521) to change the rules of the House temporarily for the consideration of H. R. 24023, have considered the same, and beg to report it back to the House with the recommendation that it be adopted.

○

Alice M. Burrows and Others.

MAY 6, 1912.—Committed to the Committee of the Whole House and ordered to be printed.

Mr. POW, from the Committee on Claims, submitted the following

REPORT.

[To accompany H. R. 24121.]

The Committee on Claims, to whom was referred the bill (H. R. 24121) to pay certain employees of the Government for injuries received while in the discharge of their duties, and other claims, having considered the same, report thereon with a recommendation that it do pass, with the following amendments:

In line 11, on page 1, strike out the word "and". In line 12, on page 1, strike out the word "being" and insert in lieu thereof the words "to be".

In line 17, on page 3, after the word "for" and before the word "the," insert the words "personal injuries and", and after the word "leg" and before the word "on" insert the words "while employed".

In line 12, on page 4, insert after the word "to" the words "Patrick Feeney"; in line 13, page 4, strike out the word "parents" and insert in lieu thereof the word "father"; after the comma in line 14, page 4, strike out all to the end of the paragraph and insert in lieu thereof the following, "who died as a result of injuries received in the discharge of his duty at Brooklyn Navy Yard, May 24, 1910; the said sum being equal to the amount the said Jas J. Feeney would have received for one year's services at the rate he had been paid when so employed."

This bill is a substitute for the following House bills referred to said committee:

H. R. 21212. Alice M. Burrows.
10268. Lars P. Peterson.
13062. Edward Maher.
22395. Employees Panama Canal.
20198. Benjamin Demorest.
10184. John H. Rheinlander.
22489. Theodore E. Rollett.
6811. John Moynihan.

H. R. 5572. Robert Coggan.
19702. James J. Feeney.
14744. Stanley J. Morrow.
22377. James H. Dennis.
21355. Herbert O. Dunn.
23342. Peter Deel.
14334. J. N. Whitaker.
23260. W. H. Carter.

[H. R. 21212, Sixty-second Congress, second session.]

A BILL For the relief of Alice M. Burrows.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Alice M. Burrows, widow of Leslie Burrows, deceased, late rural mail carrier on route numbered two, of Coal Run, Ohio, the sum of one thousand five hundred dollars.

Mr. Francis, from the Committee on Claims, submitted the following report (to accompany H. R. 21212):

The Committee on Claims, to whom was referred the bill (H. R. 21212) for the relief of Alice M. Burrows, having considered the same, report thereon with a recommendation that it do pass with the following amendments:

In line 7 strike out the word "two" and insert in lieu thereof the word "one," and in line 8 after the word "thousand" insert the words "five hundred."

The claimant, Mrs. Alice M. Burrows, is the widow of Leslie Burrows, who lost his life while in discharge of his duties as rural carrier in Washington County, Ohio.

The facts are that on February 9, 1912, Leslie Burrows was engaged in carrying mail over a rural route and required in the course of his employment to cross the Muskingum River. His route extended out from Coal Run post office, Ohio. The river at the crossing had been frozen over for some time, and teams had been passing over on the ice up until this day. When this carrier started to cross on the ice and when he had proceeded quite a distance on the ice, he came upon a thin place or air hole, broke through, and was drowned. He threw up the mail sacks, which were recovered at the place where he met his death. Several affidavits have been filed in support of this claim, all of which are hereto attached and made a part of this report.

In the matter of the bill for an allowance to Alice M. Burrows, now before the Committee on Claims, House of Representatives, Washington, D. C.

STATE OF OHIO, *Washington County, ss:*

Before me, a notary public in and for said county, personally appeared Silas Baker, Leslie C. Rose, John A. West, Bertha Farnsworth, William T. Harness, all to me well known, who, being first duly sworn, say that they are neighbors of Mrs. Alice M. Burrows and well knew her late husband, Arthur L. Burrows, and his accidental drowning while on duty as a carrier of mail from the Coal Run post office, from which they get their mail. Affiants further say that they know that the said Mrs. Burrows was wholly dependent upon her said husband for support; that she is left without means, therefore, except by earning it by her own labor; and that her state of health and strength is such as to disable her from so obtaining a livelihood, as they verily believe.

SILAS BAKER.
LESLIE C. ROSE.
JOHN A. WEST.
BERTHA FARNSWORTH.
WM. T. HARNESS.

Subscribed and sworn to before me, this 11th day of April, 1912.

[SEAL.]

J. C. CROOKS,

Notary Public, Washington County, Ohio.

In the matter of the bill for an allowance to Alice M. Burrows, now before the Committee on Claims, House of Representatives, Washington, D. C.

STATE OF OHIO, *Washington County, ss:*

Before me, a notary public in and for said county, personally appeared J. Clinton Crooks, well known to me, who, being first duly sworn, says that he has read the affidavit made by Mrs. Alice M. Burrows, the widow of Arthur L. Burrows, deceased; that he is a neighbor of hers and well knew her late husband and herself, and was and is acquainted with his employment as a carrier of mail, the circumstances of his death, and the financial condition and health of his said widow; that the facts stated in her said affidavit in regard thereto are true.

J. C. CROOKS.

Subscribed and sworn to before me this 10th day of April, 1912.

[SEAL.]

ASA E. WARD,

Notary Public, Washington County, Ohio.

In the matter of the bill for an allowance to Alice M. Burrows, now before the Committee on Claims, House of Representatives, Washington, D. C.

STATE OF OHIO, *Washington County, ss:*

Before me, a notary public in and for said county, personally appeared Mrs. Alice M. Burrows, well known to me, who, being first duly sworn, says that at the time of his death she was the wife of the late Arthur L. Burrows, a rural-route carrier of United States mail from Coal Run post office, in said county; that on the 9th day of February, 1912, while on duty as such carrier, with mail for people on his route, in crossing the Muskingum River to make delivery of such mail, he was accidentally drowned in that stream.

Affiant further says that she is without means to live, and before his death was wholly dependent upon her said husband for a living for herself and children; that because of ill health and physical weakness she is physically unable to work and earn her own living; that she is now without means of her own for her present or future support or that of her children.

ALICE M. BURROWS.

Subscribed and sworn to before me this 10th day of April, 1912.

[SEAL.]

J. C. CROOKS,

Notary Public, Washington County, Ohio.

In the matter of the bill for an allowance to Alice M. Burrows, now before the Committee on Claims, House of Representatives, Washington, D. C.

STATE OF OHIO, *Washington County, ss:*

Before me, a notary public in and for said county, personally appeared S. G. Adair, M. D., well known to me, who, first being duly sworn, says: "Have been the family physician of A. L. Burrows (deceased) for the past 20 years, and know that he died in the line of duty as mail carrier of route No. 2, Coal Run, Ohio. Was present when the body was brought home. Also that Mrs. Burrows is left in very poor circumstances, with four children to raise and educate, and that she is sorely afflicted with epilepsy, and has been so afflicted for 16 or 18 years. She is a true mother in every sense the word implies, and her condition is such as to excite the sympathy of all."

S. G. ADAIR, M. D.

Subscribed and sworn to before me this 10th day of April, 1912.

[SEAL.]

E. R. TAYLOR,

Notary Public, Washington County, Ohio.

[H. R. 10628, Sixty-second Congress, first session.]

A BILL For the relief of Lars P. Peterson.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized and directed to pay, from any money in the Treasury not otherwise appropriated, to Lars P. Peterson five thousand dollars, for damages sustained by him by reason of permanent injuries to his spine, said injuries having been received at Aqueduct Five, on the Illinois and Mississippi Canal, in the State of Illinois, on the twenty-second day of December, nineteen hundred and five, said injuries being sustained while he was working as a carpenter for the United States and caused by the fall of a derrick in the construction of said canal and without fault of said Lars P. Peterson, but on account of the careless operation of said derrick by employees of the United States.

Mr. Dickinson, from the Committee on Claims, submitted the following report (to accompany H. R. 10628):

The Committee on Claims, to whom was referred the bill (H. R. 10628) for the relief of Lars P. Peterson, having considered the same, report thereon with a recommendation that it do pass with the following amendment:

In line 5 strike out the word "ten" and insert in lieu thereof the word "five."

The Committee on Claims, to whom was referred H. R. 10628, to pay Lars P. Peterson for permanent disability at Aqueduct No. 5 of the Illinois-Mississippi Canal, in the State of Illinois, December 22, 1905, while in the discharge of his duty, have carefully considered the same and report this to be a meritorious case, with the recommendation that it receive favorable action.

Appended hereto is a statement submitted by the Hon. Claude U. Stone of said Peterson's condition, also a report No. 1476, Sixty-first Congress, second session, which are made a part of this report.

Lars P. Peterson, a Dane, but an American citizen, while engaged as a carpenter directly for the United States Government in the erection of forms for reinforced concrete linings for the bridge at Aqueduct 5 of the Illinois & Mississippi Canal, about 1 mile north of the village of Annawan, in Henry County, Ill., was, on December 22, 1905, while at work, and through no fault of his own, struck across the back and shoulders by the mast of a falling guy derrick, owned and operated by the Government of the United States, which had been imperfectly constructed. The derrick was being used to hoist steel beams to place on top of the masonry. The hook fastening one of the guys to the top of the mast was defective and as the boom swung around above Mr. Peterson, who was employed at the time on the floor forms of the aqueduct, and was in a sitting or stooping posture, it broke and the mast fell and struck Mr. Peterson diagonally across the back and shoulders, resulting in a fracture of the spine at the junction of the neck and the trunk, producing paralysis of the entire body from the nipple line down. This paralysis was complete and has remained so ever since. The injuries of Mr. Peterson are permanent, and for the rest of his life Mr. Peterson is destined to be a helpless invalid, requiring constant attention and care.

During a period of about two years after the accident occurred, Mr. Peterson was treated in the Presbyterian Hospital in the city of Chicago. There his expenses were \$17.50 a week, aside from medical fees. These expenses were paid by the parents, who are in very moderate circumstances. Since he left the hospital he has been at the home of his parents, near Sheffield, Ill. His injuries compel him to lie upon his back or in a reclining position all of the time. He is unable to contribute to his own support, but is a charge upon his parents, and his physical condition demands the presence and care of some person at all times.

He was about 25 years of age at the time of the accident. He had been employed during the working season for a number of years by the United States and was a sober, industrious, and faithful employee. The accident was entirely without the fault of Mr. Peterson himself. He was an innocent workman and received an injury probably greater than death itself, and it would seem that he is well entitled to relief from the General Government.

Former bill passed the House in the sum of \$5,000 for relief of Lars P. Peterson, in former Congress.

LARS. P. PETERSON.

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF ENGINEERS,
Washington, January 18, 1908.

The SECRETARY OF WAR.

SIR: 1. I have the honor to return a communication, dated the 14th instant, from Hon. J. M. Miller, chairman Committee on Claims, House of Representatives, inclosing, with request for information, H. R. 9788, Sixtieth Congress, first session, for the relief of Lars P. Peterson, and to report as follows:

2. It appears from the letter of Lieut. Col. W. H. Bixby, Corps of Engineers, dated April 10, 1906, and its inclosures, all of which are herewith, that on December 22, 1905, Mr. Peterson, a carpenter employed by the United States in the erection of forms for reinforced concrete linings for the bridge at Aqueduct 5, of the Illinois and Mississippi Canal, about 1 mile north of the village of Annawan, in Henry County, Ill., was, while at work, and through no fault of his own, struck across the back and shoulders by the mast of a falling derrick. The derrick was being used to hoist steel beams to place on top of the masonry. The doctors who attended him stated at the time that his back was broken, and later, after an examination by the X ray at the hospital, the surgeon stated that his neck, not his back, was broken, and expressed the belief that his injuries were fatal.

3. The circumstances of the accident are fully set forth in the accompanying papers, and it is recommended that they be sent to the committee, such action having been requested verbally by Hon. J. V. Graff, the author of the bill.

4. Attention is invited to the statement in lines 13, 14, and 15 of the bill that the accident was due to "the careless operation of said derrick by employees of the United States." Colonel Bixby, after a careful and thorough investigation and consideration of the facts, states (inclosure 7) that in his opinion the accident was due to breakage of a portion of the derrick rather than to the fault of any employee.

5. It appears that Mr. Peterson had been employed during the working season for a number of years by the United States, and was a sober, industrious, faithful employee. I concur in the opinion expressed by Colonel Bixby that Mr. Peterson is specially worthy of congressional relief.

Very respectfully,

A. MACKENZIE,
Brig. Gen., Chief of Engineers, U. S. Army.

WAR DEPARTMENT, *Washington, April 29, 1910.*

SIR: The Secretary of War directs me to acknowledge receipt of your letter of the 26th instant, requesting information in regard to the rate of pay of Mr. Lars P. Peterson at the time he was injured, December 22, 1905, while employed as carpenter in connection with the construction of the Hennepin Canal, in Illinois, by the falling of a derrick, and reply to inform you that the Chief of Engineers reports that Mr. Peterson was paid at the rate of \$2.50 per day, and that he was furnished no subsistence or other allowances.

Very respectfully,

JOHN C. SCOFIELD,
Assistant and Chief Clerk.

HON. JOSEPH V. GRAFF,
House of Representatives.

ENGINEER OFFICE, UNITED STATES ARMY,
504 FEDERAL BUILDING,
Chicago, Ill., April 10, 1906.

Hon. Jos. V. Graff, M. C.,
Washington, D. C.

DEAR SIR: Referring to your letter of March 31, 1906, to Asst. Engineer L. L. Wheeler regarding the injury to L. P. Peterson, I have the honor to inclose herewith a full statement from Asst. Engineer L. L. Wheeler regarding the matter, and also copy of my letter of December 29, 1905, which I think will put you in possession of the facts you desire.

Personally I much regret that there is no existing law that allows payment from river and harbor appropriations of reasonable doctors' and hospital charges and continuation of salary for reasonable time (equal to that of ordinary accident insurance companies' policies) during recovery. It would seem to me that in such cases laborers should be cared for by the United States Government, as soldiers are, when the injury comes to them as a result of their obeying orders and attending properly to the duties assigned them and is not their fault: and I sincerely hope that Congress some day will take steps to make such treatment legal.

Owing to the nature of this special injury I consider Mr. Peterson as specially worthy of congressional assistance.

Very respectfully,

W. H. BIXBY,
Lieut. Col., Corps of Engineers.

Through Chief of Engineers, U. S. Army.

[First indorsement.]

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF ENGINEERS,
Washington, April 16, 1906.

Respectfully returned to Lieutenant-Colonel Bixby, inviting attention to paragraph 831, A. R.

There is no objection to replying to Congressman Graff's letter in general terms, but copies of the records should not be furnished.

If a bill is introduced in Congress for the relief of Lars Peterson and formal call is made on the department, all papers in the case will then be furnished.

This paper to be returned.

By command of Brigadier General Mackenzie:

CHARLES W. KUTZ,
Captain, Corps of Engineers.

[Second indorsement.]

U. S. ENGINEER OFFICE,
Chicago, Ill., April 18, 1906.

Respectfully returned to the Chief of Engineers, U. S. Army, preceding indorsement having been noted.

W. H. BIXBY,
Lieut. Col., Corps of Engineers.

ILLINOIS AND MISSISSIPPI CANAL,
OFFICE OF ASSISTANT ENGINEER,
Sterling, Ill., December 27, 1905.

Lieut. Col. W. H. BIXBY,
Corps of Engineers, U. S. Army, Chicago, Ill.

COLONEL: I inclose herewith a report by Junior Engineer H. E. Reeves, in regard to the accident at aqueduct 5 on December 22, by which Carpenter Lars Peterson was seriously and probably fatally injured.

I can add nothing to this report, of my own knowledge, further than that I was at aqueduct 5 soon after the accident, and from the situation of the derrick and the manner in which the guys led from the mast, it would seem impossible for the mast to have fallen if the hook fastening one of the guys to the top of the mast had not broken.

Since Mr. Reeves's report was written, I have learned by telephone that the injured man was taken to the Presbyterian Hospital on Congress Street, in

Chicago, and that after an examination by the X ray, the surgeons state that it is his neck instead of back that is broken, and that his injuries are fatal.

Very respectfully, your obedient servant,

L. L. WHEELER,
Assistant Engineer.

ATKINSON, ILL., December 23, 1905.

Mr. L. L. WHEELER, Assistant Engineer,
Sterling, Ill.

SIR: have the honor to report that on December 22, at aqueduct 5, Carpenter Lars Peterson was very seriously injured by the falling of a guy derrick.

Carpenter Peterson was employed in the erection of forms for reinforced concrete linings for the aqueduct bridges, and at the time of the accident was in a sitting or stooping position engaged in work on the floor forms. The mast of the derrick struck him diagonally across the back and shoulders. He was saved from being crushed and probably instantly killed by a side truss, about 24 inches high, across which the derrick fell. Doctor Seids, of Annawan, Ill., from a preliminary examination, states that his back is broken.

Overseer George F. Eckert, jr., was in charge of the derrick and was using it to place in position the steel for the aqueduct bridge. He had just completed the raising and placing of several towpath beams. These had to be raised 11 feet, which necessitated the operation of the boom at such an elevation that it would not pass under the guy cables. Accordingly, the guy which interfered with the swing of the boom was removed. No danger resulted from this so long as the boom remained in the same general direction.

Having completed the placing of towpath beams, the boom was being swung to an angle of about 30 degrees with one of the remaining guys, to be attached to a side truss which was to be raised into position. The boom was not stopped at the intended point, but swung on around to the guy when the derrick fell. Although the upper end of the mast struck nothing, the mast falling across the side beams, as previously stated, a hook which held one of the guys was found to be broken. As the foot of the mast was chained fast and did not slip, and there were two guy lines at approximately right angles to the direction of the fall and anchored solidly to the tops of the masonry piers about 11 feet above the mast foot, it is doubtful if the derrick could have fallen completely had not the hook broken. Neither Overseer Eckert nor other employees were able to state whether this hook broke before, during, or after the fall. It seems probable that a little slack in the guy cable allowed the derrick to sag over, when the sudden tightening and excessive strain, due to the flat angle of the two holding guys, snapped the hook and allowed the derrick to fall.

Very respectfully, your obedient servant,

H. E. REEVES,
Junior Engineer.

ILLINOIS AND MISSISSIPPI CANAL,
OFFICE OF ASSISTANT ENGINEER,
Sterling, Ill., April 5, 1906.

Asst. Engineer L. L. WHEELER, Sterling, Ill.

SIR: I have the honor to report that on December 22, at aqueduct 5, Carpenter Lars Peterson was very seriously injured by the falling of a guy derrick. I was in charge of this work at the time, and have the honor to make the following report upon the matter:

In placing towpath beams it was necessary to remove guy line A (see inclosed photographs)¹ from the derrick, and in placing the side truss it was necessary to swing the boom to the middle of that truss. While I was making the hoisting line G fast there was considerable slack in it. The man who was holding the line G let go of it before he should have done so, causing the boom to swing around and strike line B, and I think in order for the boom to pass under line B, which I am positive it did, the hook on line D would have to break. This hook was found after the accident to be broken, but it was im-

¹ Not printed.

possible for me to tell whether it broke when the boom passed under or when the mast fell.

Mr. Lars Peterson was laying the flooring under, or nearly under, line C, in which direction the mast fell and struck Mr. Peterson diagonally across the back and shoulders.

The main cause of the accident, in my opinion, was due to the fact that the man holding the line G released the same before he should have done so.

Very respectfully, your obedient servant,

GEO. F. ECKERT, Jr.,
Overseer.

ILLINOIS AND MISSISSIPPI CANAL,
OFFICE OF ASSISTANT ENGINEER,
Sterling Ill., April 6, 1906.

HON. JOSEPH V. GRAFF,
House of Representatives, Washington, D. C.

SIR: In response to your letter of March 31, 1906, I have the honor to submit, through official channels, the following report upon the matter of an accident which occurred to Lars Peterson, and to attach copies of the official reports upon the subject:

This accident occurred on aqueduct No. 5 of the Illinois and Mississippi Canal, which is situated about 1 mile north of the village of Annawan, in Henry County, Ill. At the time of the accident, and for some time previous, Lars Peterson was employed as a carpenter by the United States, and was working as such at the time of the accident. He was employed directly by the United States, and was not working for a contractor. I was not present at the time the accident occurred, but arrived at the aqueduct perhaps two hours after it occurred.

The aqueducts for carrying the canal over streams consist of masonry piers and abutments and trunk or trough carrying the water, which is composed of a framework of heavy I beams, and aqueduct No. 5 has a lining of reinforced concrete. I inclose herewith two photographs, Nos. 282F and 319F. No. 282 is a photograph taken at aqueduct No. 8, and 319 is a photograph of aqueduct No. 5, where the accident took place. The view No. 319 was taken September 28, 1905, at which time the masonry for one pier and one abutment in the background of the picture had not been constructed. It was on that part of the work that the accident occurred. It will be noted in view No. 319 that on top of the masonry, at the left of the photograph, a part of the coping is at a lower level than the rest of the masonry. It will also be noted that along the left side of the picture are lying some steel beams, adjacent to the masonry. These beams are placed on top of the masonry at the left of the picture, to form a roadway for the towpath. At the right of the picture, lying on the floor, will be seen some heavier beams, which are being riveted together to form trusses to hold the sides of the aqueduct. The beams forming these side trusses are 24 inches high. In view No. 282 the derrick is shown attached to one of these side trusses, ready to tip it up into position against the masonry, where it is to be held by anchor bolts.

Just previous to the accident the boom was swung to the left side, in view No. 319, and the derrick had been used in lifting the towpath beams to place on top of the masonry. It will be seen that the top of the mast of the derrick is supported by a number of guy lines. The guy line E was only used to steady the mast while the derrick was being moved from place to place. At the time of the accident the guy line C was attached directly to the masonry instead of being as shown in the view. In order to hoist the beams on top of the masonry, the line A was cast loose from the masonry, as there would no strain come upon it during the work. The boom was then to be swung to a position corresponding to that shown in view No. 282, and attached to the heavy side truss, for raising it to position. In order to hoist the beams to the top of the masonry, the boom was at such an angle that it would not pass under the guy lines. According to the statement of the overseer, George F. Eckert, Jr., in passing the boom around, the man who was controlling it by means of the hoisting lines G let them go before they were attached to the side truss. This let the boom swing around farther than intended toward the guy line B. The mast of the derrick then fell in a direction, in picture No. 319, corresponding to an angle of perhaps 45 degrees to the right and from the observer. It was found

after the accident that the hook fastening the guy D to the top of the mast was broken.

The foot of the mast was chained fast, and had this hook not broken it would seem to have been impossible for the mast to have fallen. Had the guy line A also been made fast again to the masonry the mast could not have fallen, even if the hook fastening guy D to the mast had broken. One reason for not fastening the guy A again to the masonry was that, as shown in photograph No. 282, while hoisting the heavy trusses an additional line F was attached to the end of the boom, in order to control the placing of the side trusses. As shown in that picture, the guy lines A, which are there double, consisting of two ropes, are slack and take no strain. It required a combination of all the following circumstances to make the accident possible.

First. That the guy A was not fastened to the masonry.

Second. That the laborer let go of the lines G before they were attached to the side truss.

Third. That the guy F had not yet been attached to the boom.

Fourth. That the hook fastening the guy E to the mast was broken.

Carpenter Peterson was placing lumber for forming the concrete between the longitudinal I beams at the time of the accident, about in the position relatively indicated by a cross on the photograph 319. The mast fell so that it rested on the side truss not yet raised to position, and this fact alone saved him from being killed instantly.

Ordinarily the carpenter crew and concreting crew were not worked on the same spans or on the same parts of the aqueducts as the crew erecting the steel work. At this time there were but two bays to complete the work for the season, and as there was great danger that cold weather would set in and prevent the completion of the concrete linings, the carpenter and concrete crews were closely following the erecting gang.

The accident was entirely without fault of Peterson himself. He was an innocent workman, and received an injury probably greater than death itself, and it would seem that he is well entitled to relief from the General Government. He had been employed during the working season for a number of years by the United States, and was a sober, industrious, faithful employee.

Accompanying this report is a copy of my official report upon the subject, dated December 27, 1905; also of the report of Junior Engineer H. E. Reeves, who was the junior engineer in immediate charge of the work, dated December 28, 1905; also report of Overseer George F. Eckert, jr., dated April 5, 1906.

Very respectfully, your obedient servant,

L. L. WHEELER, *Assistant Engineer.*

[H. R. 13062, Sixty-second Congress, first session.]

A BILL To recompense the heirs of Edward Maher.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of one thousand nine hundred and eighty dollars be paid, out of any funds not otherwise appropriated, to John Maher and Bessie Maher, dependent father and mother of Edward Maher, deceased, on account of the death of said Edward Maher, caused by the wrecking of a train of dump cars near Gold Hill (Culebra Cut), Isthmus of Panama, June twenty-sixth, nineteen hundred and seven, while in charge of said train as conductor, said sum being equal to one year's pay at the rate of compensation being paid him at the time of his death.

Mr. Green, from the Committee on Claims, submitted the following report (to accompany bill H. R. 13062):

The Committee on Claims, to whom was referred the bill (H. R. 13062) for the relief of the heirs of Edward Maher, having considered the same, report thereon with a recommendation that it do pass with the following amendment:

In line 3, strike out the words "one thousand eight hundred" and insert in lieu thereof the words "one thousand nine hundred and eighty."

The Isthmian Canal Commission advised the committee as follows with reference to this claim:

On June 27, 1907, a train of dump cars was wrecked near Gold Hill (Culebra Cut), said train being in charge of Edward Maher, deceased, as conductor. A broken frog caused the derailment of the train, which was running at the usual rate of speed when the accident occurred. Mr. Maher's death was caused by his being thrown, or by his jumping from the moving train, one of the cars turning completely over, pinning him underneath, causing instant death. A strict investigation showed that two trains have previously passed over this track without mishap, and it was apparently demonstrated that the wrecked car must have broken the frog which caused the wreck.

The committee therefore recommends that \$1,980 be paid to the heirs of the said Edward Maher, said sum being equal to one year's pay at the rate of compensation being paid him at the time of his death.

[H. R. 23395, Sixty-second Congress, second session.]

A BILL To pay certain employees of the Government for injuries received while in discharge of their duties as employees of the Isthmian Canal Commission.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of nine thousand six hundred and seventy-six dollars and thirty-eight cents be, and is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to pay certain employees of the United States Government for personal injuries received while in discharge of duty without fault on their part, as hereinafter stated, the same being in full and the receipt of the same being taken and accepted in each case as full and final release and discharge of the respective claims, namely:

To pay three thousand dollars to Emma H. Ridley, widow of the late Doctor George V. Ridley, who lost his life January seventh, nineteen hundred and seven, in discharge of his duty in the Canal Zone while in the employ of the Isthmian Canal Commission.

To pay two thousand seven hundred and fifty dollars to Oscar F. Lackey for injuries sustained by him in the performance of his duty while acting as assistant engineer of the Isthmian Canal Commission in the construction of the Panama Canal at Bas Obispo, Canal Zone, on November twenty-first, nineteen hundred and five.

To pay one thousand two hundred dollars to Pedro Sanches as compensation for injuries received while in the employ of the Isthmian Canal Commission in the Canal Zone on March sixteenth, nineteen hundred and eight.

To pay one thousand three hundred and seventy-five dollars to Marcellus Troxell as compensation for injuries received while in the employ of the Isthmian Canal Commission, in the Canal Zone, on April seventh, nineteen hundred and eight.

To pay one thousand nine hundred and fifty-one dollars and thirty-eight cents to John H. Cole as compensation for injuries received while in the employ of the Isthmian Canal Commission, in the Canal Zone, on May seventh, nineteen hundred and eight.

Provided, That no agent, attorney, firm of attorneys, or other persons engaged heretofore or hereafter in preparing, presenting, or prosecuting any claim or claims above referred to shall, directly or indirectly, demand, receive, or retain for such services in preparing, presenting, or prosecuting such claims, or for any service or act whatsoever in connection with such claims, a sum greater than five per centum of the amount of such claim, and any person who shall violate the above provisions shall be guilty of a misdemeanor, and upon conviction thereof shall, for each and every offense, be fined not to exceed five hundred dollars or be imprisoned not exceeding one year, or both, in the discretion of the court.

Mr. Green, from the Committee on Claims, submitted the following report (to accompany H. R. 23395):

The Committee on Claims, to whom was referred the bill (H. R. 23395) to pay certain employees of the Government for injuries received while in discharge of their duties as employees of the Isthmian Canal Commission, having considered the same, report thereon with a recommendation that it do pass with the following amendment:

On page 2, in line 10, strike out the word "six" and insert in lieu thereof the word "twelve."

EMMA H. RIDLEY.

The Isthmian Canal Commission reported to the committee, with reference to this claim, as follows:

On January 27, 1907, Dr. George V. Ridley died while in the employ of the Isthmian Canal Commission, his detail being "pathologist of Ancon Hospital." While engaged in this duty an epidemic of virulent pneumonia broke out among the employees, and Dr. Ridley's duties required his making many autopsies upon the cases, and he became infected and contracted the same character of pneumonia, of which he died on the date above given. The chief sanitary officer has reported that Dr. Ridley served the department faithfully and efficiently, and that owing to the absence of the chief of the laboratory a large amount of work was put upon him; that he had been on the Isthmus at the time of his death for nearly two years without being able to get his leave, and that owing to such conditions he was physically unable to throw off the disease when contracted.

The committee therefore recommends that the sum of \$3,000 be paid to Emma H. Ridley, widow of the said Dr. George V. Ridley, being the amount of his salary for one year.

OSCAR F. LACKEY.

The Isthmian Canal Commission advises the committee, with reference to this claim, as follows:

On November 21, 1905, Oscar F. Lackey, while superintending the erection of a heavy crusher plant at Bas Obispo, Canal Zone, for the Isthmian Canal Commission, was struck in the back by a falling timber and very dangerously injured; in fact, he barely escaped with his life, and for a considerable period was practically bedridden. He was confined to the hospital for many months and compelled to incur special medical bills in large amount. His health is undoubtedly permanently impaired and his earning capacity diminished.

The salary of this man was \$3,000 per annum. It appears that he received one month's leave pay, amounting to \$250, which was allowed under the regulations of the commission. The committee therefore recommends that he be compensated in the sum of \$2,750.

PEDRO SANCHES.

The Isthmian Canal Commission reports to the committee, with reference to this claim, as follows:

On March 16, 1908, Pedro Sanches, a Spanish laborer, had both hands blown off and sustained other injuries by a premature explosion of dynamite in Culebra Cut. The gang were loading holes, and, apparently without negligence of anyone, the explosion occurred, with the result above stated.

The claimant was a Spanish laborer and his pay was 20 cents per hour. He refused to accept sick or injury leave pay on account of its inadequacy to compensate him. The committee therefore recommends that he be compensated in the sum of \$1,200.

MARCELLUS TROXELL.

The Isthmian Canal Commission reports to the committee with reference to this claim as follows:

On April 7, 1908, Marcellus Troxell, while in charge of a gang of men engaged in blasting in the canal prism, Canal Zone, and without negligence on his part or that of any other person, was run over by a loaded train and his left leg crushed and severed below the knee. Injury necessitated amputation; he also received severe cuts and bruises upon the head and left arm, and sustained a shock mentally and physically from which he will never recover. The immediate cause of the injury was that while working in front of a steam shovel, which was loading cars to the left of the shovel, the dipper of the shovel was swung toward the right; Mr. Troxell stepped back to avoid being struck with the dipper, the dipper struck the end of some cross-ties in the ground under where he was standing, and he was either thrown, or in order to avoid being thrown from the ties stepped back farther upon the track at the right of the shovel, when an engine, backing and pulling a train of cars on that track, struck him.

This man was paid at the rate of \$1,500 per annum. It is assumed that he received injury leave pay for one month, or \$125, which, being deducted from his salary for one year, leaves \$1,375, which the committee recommends he be allowed.

JOHN. H. COLE.

With reference to this claim the Isthmian Canal Commission reports to the committee as follows:

On May 7, 1908, John H. Cole, while employed as trainman on steam shovel No. 210, opposite Cunette shops, Canal Zone, had his right hand crushed so badly as to make necessary amputation. He was engaged in putting grease on shipper-shaft gear wheel when the dipper ran in, causing his hand to be caught between gear wheel and pin on booming-crank shaft. Investigation at the time developed that accident was not due to any negligence on part of injured person.

This man was paid \$199.87 per month, and the records show that he received 67 days' leave with pay after the date of the injury, amounting to \$446.22, which, being deducted from his yearly pay, leaves \$1,951.38, which the committee recommends be allowed him.

In accordance with the recommendations of the commission, your committee recommends that the several claims referred to above be allowed in the respective sums above stated, and that provision be made for an appropriation for their payment, to be included in the omnibus bill to be reported by the full committee.

It will be observed that the injuries above referred to were received by the respective claimants prior to the enactment of the statute for compensation to parties injured in the service of the Isthmian Canal Commission. It is obvious that justice and equity require that the several claimants should be compensated in the same manner as is now provided by law.

[H. R. 20198, Sixty-second Congress, second session.]

A BILL For the relief of Benjamin Demorest.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay the sum of one thousand five hundred dollars, which sum is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to Benjamin Demorest, who was seriously disabled on the eighth day of March, nineteen hundred and five, while in the employment of the United States Government as a deck hand on the United States lighthouse tender *Oleander* on the Mississippi River near Memphis.

Mr. Green, from the Committee on Claims, submitted the following report (to accompany H. R. 20198):

The Committee on Claims, to whom was referred the bill (H. R. 20198) for the relief of Benjamin Demorest, having considered the same, report thereon with a recommendation that it do pass with the following amendment:

In line 4 strike out the words "five thousand" and insert in lieu thereof the words "one thousand five hundred."

Your committee, to which this bill was referred, report that it appears that the claimant, Demorest, while in the service of the United States as a deck hand on a lighthouse tender and while assisting in mooring that boat on March 8, 1905, without negligence on his part, received injuries that resulted in the loss of a leg. At the time of the accident Demorest was receiving a salary of \$25 per month. The letters from the Department of Commerce and Labor are hereto attached and made a part of this report.

DEPARTMENT OF COMMERCE AND LABOR,
Washington, March 29, 1912.

DEAR SIR: Referring to your letter of the 18th instant, transmitting a copy of H. R. 20198, for the relief of Benjamin Demorest, and requesting the views of this department in regard to the merits of the bill, I have to state that the matter is being investigated and you will be further advised in regard thereto at an early date.

Respectfully,

BENJ. S. CABLE, *Acting Secretary.*

HON. EDWARD W. POU,
*Chairman Committee on Claims,
House of Representatives, Washington, D. C.*

DEPARTMENT OF COMMERCE AND LABOR,
Washington, April 11, 1912.

DEAR SIR: Referring again to your letter of the 18th ultimo, inclosing, with request for the views of this department thereon, a copy of House bill 20198, Sixty-second Congress, second session, providing for the relief of Benjamin Demorest, it appears from the records that Mr. Demorest, while employed as a deck hand of the lighthouse tender *Oleander*, was injured on March 8, 1905, in jumping ashore with hawser to assist in securing the boat by missing his footing and slipping down between the tender and the bank. It is understood that the injury resulted in the loss of a leg. The salary of Mr. Demorest at the time of the accident was \$25 a month. There is no provision of law or regulation under which persons so employed are entitled to pay when injured in the Government service.

The records do not show that the accident was due to negligence on the part of Mr. Demorest, and I therefore recommend that the bill be passed.

There is inclosed a copy of the report of the local lighthouse inspector on the subject.

Respectfully,

BENJ. S. CABLE, *Acting Secretary.*

Hon. EDWARD W. POU,
*Chairman Committee on Claims,
House of Representatives, Washington, D. C.*

DEPARTMENT OF COMMERCE AND LABOR,
LIGHTHOUSE SERVICE, FIFTEENTH DISTRICT,
St. Louis, Mo., April 3, 1912.

The COMMISSIONER OF LIGHTHOUSES,
Washington, D. C.

SIR: The attached papers respectfully returned to the commissioner of lighthouses inviting attention to the preceding report of Capt. Thomas B. Good, master and pilot of the tender *Oleander*, who was master of said tender at the time of the accident to Mr. Demorest.

From the circumstances it does not appear that Mr. Demorest's injuries were due to any negligence on his part. It is understood that the injuries resulted in the loss of his leg, which would, of course, bar him from further work as deck hand.

Respectfully,

CHAS. L. POTTER,
*Lieutenant Colonel, Corps of Engineers, U. S. Army,
Inspector Fifteenth Lighthouse District.*

DEPARTMENT OF COMMERCE AND LABOR,
LIGHTHOUSE SERVICE, TENDER "OLEANDER,"
St. Louis, Mo., April 3, 1912.

Respectfully returned to the lighthouse inspector, fifteenth district, with the following explanation:

The log of the tender *Oleander* under date of March 8, 1905, shows that the master had the permission of the inspector to remain in his stateroom on account of illness, the inspector being aboard at the time.

In landing at Fleece Landing, Tenn., at 5.30 p. m. on said date, to tie up for the night Benjamin Demorest, in jumping ashore with hawser to assist in securing the boat, missed his footing and slipped down between the tender and the bank. His leg was caught between the tender and the bank, breaking his leg below the knee.

Instead of tying up for the night as was intended, the tender, by order of the inspector, Commander Holman Vall, United States Navy, was gotten under way immediately and took said Benjamin Demorest to Memphis, Tenn., arriving at Memphis at 7.45 p. m. on same day; and said Benjamin Demorest was entered at the United States Marine Hospital via ambulance same evening.

Said Demorest's services in the Lighthouse Service as deck hand on the tender *Oleander* were terminated at the close of business on the same day, namely, March 8, 1905, and he was paid to and including said date.

THOS. B. GOOD,
Master and Pilot Tender Oleander.

[H. R. 10184, Sixty-second Congress, first session.]

A BILL For the relief of John H. Rheinlander.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be paid, out of any money in the Treasury not otherwise appropriated, the sum of one thousand two hundred dollars to John H. Rheinlander, of Saint Louis, Missouri, to compensate him in full for all claims he may have against the United States arising out of

injuries received by him while in the Government employ in the Quartermaster's Department, United States Army, at Saint Louis, Missouri, in February, eighteen hundred and eighty-three.

Mr. Catlin, from the Committee on Claims, submitted the following report (to accompany H. R. 10184) :

The Committee on Claims, to whom was referred the bill (H. R. 10184) for the relief of John H. Rheinlander, having considered the same, report thereon with a recommendation that it do pass with the following amendment:

In line 4 strike out the words "five thousand" and insert in lieu thereof the words "one thousand two hundred."

This is a claim for personal injuries. The claimant, John H. Rheinlander, was a former employee of the Government in the Quartermaster's Department, United States Army, at the old St. Louis Arsenal, St. Louis, Mo., and on February 20, 1883, from the submitted affidavits, while taking a shipping order in the course of his employment from the office, he fell on the stone steps of the building, which were covered with snow and ice and in a dangerous condition, thereby sustaining injury which resulted in permanent lameness and other injuries to his knee and limb joints, necessitating several painful and expensive operations.

[H. R. 22489, 62d Congress, 2d session.]

A BILL For the relief of Theodore E. Rollett.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Theodore E. Rollett, of Wayne County, Michigan, the sum of ten thousand dollars, as damages for personal injuries sustained by said Rollett while serving as quartermaster on the lighthouse tender *Marigold*, said injuries having been sustained while said Rollett was engaged in unloading coal bags at Two Harbors Lighthouse, Minnesota, on July thirty-first, nineteen hundred and seven, which injuries crippled and wholly incapacitated the said Rollett for any manual labor during the remainder of his life, and which injuries occurred without his fault or negligence and solely through a defective track used for the carriage of a car on which said Rollett was riding in connection with the performance of his duties, and through the improper handling of the cable attached to said car.

Mr. Dickinson, from the Committee on Claims, submitted the following report (to accompany H. R. 20620) :

The Committee on Claims, to whom was referred the bill (H. R. 20620) for the relief of Theodore E. Rollett, of Wayne County, Mich., in the sum of \$10,000, as damages for personal injuries sustained by said Rollett while serving as quartermaster on the lighthouse tender *Marigold*, said injuries having been sustained while said Rollett was engaged in unloading coal bags at Two Harbors Lighthouse, Minn., on July 31, 1907, which injuries crippled and wholly incapacitated the said Rollett for any manual labor during the remainder of his life, and which injuries occurred without his fault or negligence and solely through a defective track used for the carriage of a car on which said Rollett was riding in connection with the performance of his duties, and through the improper handling of the cable attached

to said car, having considered the same, report thereon with a recommendation that it do pass with the following amendment:

In line 6 of printed bill, the word "ten" be stricken out and the word "five" be substituted therefor, so as to read "five thousand dollars," and that the facts in said case are as hereinafter more fully set forth; and further says that favorable action has been recommended by the Department of Commerce and Labor.

DEPARTMENT OF COMMERCE AND LABOR,
OFFICE OF THE SECRETARY,
Washington, January 26, 1909.

DEAR SIR: Referring to the committee's letter of the 11th instant, inclosing a copy of H. R. 20620, for the relief of Theodore E. Rollett, I beg to state that Mr. Rollett, while serving as quartermaster on the light-house tender *Marigold*, was severely injured by the overturning of the tramway car at the Two Harbors Light Station, Minnesota, his spine being broken. It was not expected that he would survive, and his recovery was miraculous. He has now no use of his lower limbs, and is confined continually to a wheel chair, and has no means of obtaining a livelihood.

I am of the opinion that the bill for his relief is a just one, and recommend that it be passed.

Very truly, yours,

OSCAR S. STRAUS, *Secretary.*

The CHAIRMAN OF THE COMMITTEE ON CLAIMS,
House of Representatives.

DEPARTMENT OF COMMERCE AND LABOR,
OFFICE OF THE SECRETARY,
Washington, May 11, 1910.

DEAR SIR: In reply to the inquiry contained in your letter of the 9th instant, I have to state that the salary received by Patrick Powell, late first mate in the Light-House Service, was \$80 per month, and that the salary of Theodore E. Rollett, late quartermaster in the Light-House Service, was \$40 per month.

Very truly, yours,

BENJ. S. CABLE,
Acting Secretary.

HON. EDWIN DENBY,
House of Representatives,
Washington, D. C.

STATE OF MICHIGAN, *County of Wayne, ss:*

Theodore E. Rollett, being duly sworn, deposes and says that he is 22 years of age and that on July 31, 1907, was working as quartermaster on the lighthouse tender *Marigold*, Capt. Wainwright B. Cummings being master. That on said day your deponent was engaged in unloading coal in bags at Two Harbors Light-house, Two Harbors, Minn.; that there was a narrow-gauged track several hundred feet in length—a portion of which ran over a trestle some 18 feet above the rocks—which ran from the dock where the scow laid from which they were unloading the coal, up to the lighthouse. Upon said track a car ran which carried the bags of coal from the dock to the lighthouse, said car being drawn by a rope which ran over a windlass at the lighthouse end, said windlass being turned by steam power.

That on said day your deponent and six other members of the crew of said *Marigold* had just unloaded said car at the lighthouse and were riding back in the empty car to the dock with the empty bags to load up again when said car jumped the track as it was starting down the steepest part of the incline toward the dock, fell from the trestle and plunged some 18 feet to the rocks beneath: that just as said car left the track some one of its occupants cried "The car is off the track," and your deponent, to save himself, jumped from the car to the

rocks beneath. But the car in its descent turned turtle and its edge fell across your deponent's back, thereby breaking his back and injuring him internally.

That your deponent was taken to the Two Harbors Hospital, where he was attended by Doctors Knauff and Shaw, who operated upon your deponent, removing, as your deponent is informed and believes, a portion of his backbone. That since said accident your deponent has been in a helpless condition, being paralyzed from his waist down, unable to walk, and being compelled to sit in a chair all day and not being able to get in or out of the same without assistance. And on account of his helpless condition, as aforesaid, your deponent is unable to do anything toward earning a livelihood and is entirely dependent upon his relations for support. That your deponent's family is poor and is hardly able to care for him in his present condition. That your deponent is informed and believes that he will never be able to walk again and will always be in the same helpless condition in which he is at present.

That your deponent was guilty of no negligence in the premises; was never informed that it was dangerous to ride in said car, nor ordered not so to do. That said track, as your deponent is informed and believes, was in a poor and faulty condition, which occasioned the car to jump the track. Furthermore, your deponent is informed and believes that the cable attached to the car, as it descended from the lighthouse, was permitted to unwind from the windlass too rapidly and to become slack, so that the car when it reached the steepest part of the descent jumped forward, and for this reason and on account of the poor condition of said track, as aforesaid, left the rails and fell, as aforesaid.

That your deponent had been employed on said lighthouse tender *Marigold* on three different occasions. He was first employed, to wit, from June 1 to September 12, 1905, as coal passer, and was honorably discharged. The second time your deponent worked all summer as a deck hand up to January, 1907, and was discharged at his own request. The third time your deponent was employed as quartermaster, as aforesaid, his duties ending with the accident above described. And further your deponent saith not.

THEODORE E. ROLLET.

Sworn to and subscribed before me this 1st day of April, 1908.

FREDEIN T. HOWARD,

Notary Public, Wayne County, Mich.

(My commission expires March 19, 1911.)

[H. R. 6811, Sixty-second Congress, first session.]

A BILL For the relief of John Moynihan.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury of the United States not otherwise appropriated, to John Moynihan the sum of eight hundred dollars for personal injuries received from a defective elevator in the United States post-office building in Kansas City, Missouri, resulting in the paralysis of both arms.

Mr. Dickinson, from the Committee on Claims, submitted the following report (to accompany H. R. 6811):

The Committee on Claims, to whom was referred the bill (H. R. 6811) for the relief of John Moynihan, having considered the same, report thereon with a recommendation that it do pass with the following amendment:

In line 6 strike out the words "five thousand" and insert in lieu thereof the words "eight hundred."

In this case claim is made for personal injuries received while claimant was employed as a laborer in the post office at Kansas City, Mo. An investigation was made by the Treasury Department, through the custodian of the building and private statements submitted from employees in the post office who were eyewitnesses. On

behalf of the claimant evidence was filed from three leading physicians of Kansas City and from three employees of the post office who were eyewitnesses. The statements of the eyewitnesses agree in all important particulars. It seems that Moynihan was employed as a laborer and his duty was to take heavy trucks loaded with mail matter from the first, or main, floor of the post-office building to the basement for distribution. For this purpose an ordinary freight elevator was used. The elevator was provided with a safety gate, but it seems that this gate was not automatic and was habitually left open. On the occasion of the injury it seems that Moynihan was engaged in his duty taking a heavy truck load of mail from the first floor to the basement. He got behind the truck, and stooping down to push it on account of its heavy weight he rolled it toward the elevator shaft. When it reached the shaft the elevator platform was not in place opposite the first floor, and the result was the truck of mail fell into the shaft, dragging Moynihan with it. He fell about 16 feet, and the results have been a permanent paralysis of his left arm and shoulder and a deformity of his right hand and the permanent crippling of his left leg. The injuries are of so permanent a nature as to utterly unfit him for any kind of labor, and make him wholly dependent, incapacitated, and impoverished. Three of the employees of the post office testify that the elevator was in a defective condition, and stopped and started of its own motion, without warning and without the help of anyone. On the other hand, in evidence, consisting mainly of a statement of the man who was charged with the duty of keeping the elevator in repair, that the elevator was in good repair. The custodian, however, in his report to the Treasury Department states that one employee, named A. W. Koehler, pulled the rope and lowered the elevator car at the time or immediately preceding Moynihan's fall. This shows why the elevator car was not in place opposite the first floor where Moynihan supposed it was. The claimant had been in the employ of the Government for more than five years and has been a faithful and efficient employee. His record is excellent, and there is no charge made that he was careless or inattentive in his duties.

Letters attached hereto are made a part of this report.

TREASURY DEPARTMENT.
OFFICE OF THE SECRETARY.
Washington, February 17, 1912.

CHAIRMAN COMMITTEE ON CLAIMS,
House of Representatives.

SIR: I have the honor to acknowledge the receipt of your communication of the 5th instant, inclosing, for report thereon, House bill No. 6811, "for relief of John Moynihan," and in reply to inform you that the matter has been taken up with the custodian of the building at Kansas City, Mo., where the alleged accident occurred, and under date of the 13th instant he wrote to this department, inclosing a report, submitted to him on January 21, 1907, regarding the matter, copies of which said letter and report are inclosed herewith for your information. The department has no other information on this subject.

Respectfully,

FRANKLIN MACVEAGH, *Secretary.*

UNITED STATES PUBLIC BUILDINGS,
OFFICE OF CUSTODIAN,
Kansas City, Mo., January 21, 1907.

Hon. C. W. CLARKE, *Custodian*.

SIR: Pursuant to instructions, I hereby respectfully report regarding an accident that occurred in the mail lift in the workroom of the post office department, by which John Monyhan, a laborer in the post office department, was injured, about 5.30 p. m. of January 18, 1907.

I took the statements of six men, who claimed to have seen the accident, which were as follows:

William H. Vance said that he saw Monyhan push a truck loaded with mail into the elevator shaft from the mail-room floor, while the elevator was down or nearly down to the lower landing. That Monyhan held on to the truck and was drawn down by it. He heard no signal. That the safety door to the elevator was not used, and that it has not been used regularly. That the accident occurred at 5.30 p. m.

R. N. Mayor said that he heard Monyhan yell and saw him fall into the shaft; that the elevator was down, or nearly so; that Monyhan was drawn into the shaft by holding on to the truck; that the accident occurred between 5.20 and 5.30 p. m. That the safety door at the top landing was movable, but was not used; that he has seen it pulled up and down to ascertain whether or not it was in working order; and that it was always found to work easily.

J. M. Bosier, W. J. Warner, and J. S. Erwin stated substantially the same as did Vance and Mayor.

Elmer Stewart said that the elevator was at the top landing and descended while Monyhan was in the act of pushing the loaded truck onto it. He heard no signal. That the safety door is used only directly after accidents.

A. W. Koehler was the man that pulled the rope and lowered the elevator car at the time or immediately preceding Monyhan's fall. Koehler said that he had let the elevator down and was preparing to push a truck of mail onto it when he saw a truck project over from the upper landing and fall. That he pushed the bell at the time of lowering the elevator.

Mr. George B. Rice, inspector of electrical and mechanical engineering, and myself examined the safety door at the top landing and the elevator and found them both in good working order. However, the door is not automatic. Our investigation disclosed that little attention has been given to the code of signals posted at the lower landing, careful observation of which might have prevented the accident.

Respectfully,

WALTER S. HUMPHREY,
Assistant Custodian.

TREASURY DEPARTMENT,
CUSTODIAN AND JANITOR SERVICE,
Kansas City, Mo., February 13, 1912.

The SUPERVISING ARCHITECT,
Treasury Department, Washington, D. C.

SIR: Referring to your letter, inclosing copy of bill for the payment of John Moynihan, formerly employed in the Post Office Department at Kansas City, Mo., referred to the Treasury Department February 5, 1912, by the chairman of the Committee on Claims of the House of Representatives, and your indorsement thereon, of date February 8, requesting report and recommendation, I have the honor, very respectfully, to inclose herein copy of report made to me on January 21, 1907, the third day following the accident, in which are the names of five witnesses to this accident.

Also, I call your attention to the assistant custodian's report, in which he states that George B. Rice, inspector of mechanical and electrical engineering of your department, made an examination of this elevator the day following the accident and found same to be in good order. This report was forwarded to you on January 21, 1907, from which you will readily see that the elevator was not defective.

The department can call upon Mr. Rice for report, and if desired, testimony of the witnesses named in the report of Assistant Custodian Humphrey can be taken, although their written statements are on file in your department.

I have no additional evidence on record of this matter than that contained in the report made to the department at the time of the accident.

Respectfully,

C. W. CLARKE, *Custodian.*

[H. R. 5572, Sixty-second Congress, first session.]

A BILL For the relief of Robert Coggan.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized to pay to Robert Coggan, of Castile, Wyoming County, New York, out of any money in the Treasury not otherwise appropriated, the sum of one thousand five hundred dollars, to compensate him for damages on account of the death of his son, Clifford J. Coggan, who was killed in the line of his duty while in the employ of the United States Government on the Panama Canal, and the said sum is hereby appropriated for the purpose above set forth.

Mr. Green, from the Committee on Claims, submitted the following report (to accompany H. R. 5572):

The Committee on Claims, to whom was referred the bill (H. R. 5572) for the relief of Robert Coggan, having considered the same, report thereon with a recommendation that it do pass with the following amendment:

In line 6 strike out the words "five thousand," and insert in lieu thereof the words "one thousand five hundred."

This is a claim presented by Robert Coggan, the dependent father of Clifford J. Coggan, who was killed by a premature explosion of dynamite while in the employ of the Isthmian Canal Commission, May 22, 1908.

The report of the commission shows that the explosion was caused by lightning striking the wires connecting with the lead.

It will be observed that the deceased met his death a few days prior to the enactment of the statute providing for compensation to parties injured or their dependent relatives, if killed while engaged in hazardous employment in the service of the Canal Commission. Had the accident happened two weeks later the dependent father would have been awarded under this act an amount equal to one year's pay to the deceased, which in this case was \$1,500.

It is obvious that justice and equity require that this claimant should be compensated as is now provided by law. This will be accomplished by the passage of the bill as amended.

[H. R. 19702, Sixty-second Congress, second session.]

A BILL For the relief of James J. Feeney.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of three hundred and twenty five dollars and fifty-two cents is hereby appropriated, out of any money in the United States Treasury not otherwise appropriated, for payment to James J. Feeney, or his dependent parents, as compensation for injuries received, the result of an accident at the Brooklyn Navy Yard on May twenty-fourth, nineteen hundred and ten, while in discharge of duty, without fault on his part, being a sum equal to one year's pay at the compensation he was being paid at the time the accident occurred.

Mr. Cantrill, from the Committee on Claims, submitted the following report (to accompany 19702):

The Committee on Claims, to whom was referred the bill (H. R. 19702) for the relief of James J. Feeney, having considered the same, report thereon with a recommendation that it do pass with the following amendment:

In line 6, after the word "Feeney," add "or his dependent parents."

This bill is for the relief of James J. Feeney, who was injured while at work on the battleship *Florida* at the Brooklyn Navy Yard on the 24th of May, 1910, which injury resulted in a fractured skull and concussion of the brain. Young Feeney was permanently injured and his injury caused great expense to be entailed upon his family, who are in very moderate circumstances. Since the committee has had this bill under consideration Mr. Feeney has died, and we herewith incorporate a letter from his father, Patrick Feeney, of Brooklyn, N. Y., praying this committee for immediate relief, so that he can pay doctors' bills and funeral expenses of his son.

In view of all the facts in the case the committee considers this is a very meritorious claim, and earnestly recommends its passage.

In the matter of the bill for the relief of James J. Feeney.

STATE OF NEW YORK.

City of New York, County of Kings. ss:

Patrick Feeney, being duly sworn, deposes and says: That he is the father of the above-named James J. Feeney. That my son James J. Feeney was injured while at work on the battleship *Florida*, at the Brooklyn Navy Yard, on the 24th day of May, 1910, and was taken to the Cumberland Street Hospital in Brooklyn, suffering from a fractured skull and concussion of the brain, and although he returned to his work in the navy yard on September 12, 1910, he was obliged to give up working on the 9th day of July, 1911, owing to the after effects of the injury received by him, as more fully shown by the affidavit of Dr. Francis C. Vogt, which is hereto annexed. That under the rules of the Department of Commerce and Labor he was compensated for the time he was away from his work, between May 24 and September 12, but since that time and since he was obliged to lay off, on July 9, 1911, he has received no compensation, although the injury with which he met on the 24th day of May, 1910, is of a permanent nature, and deponent has been informed by the doctors who have attended him that he will never be able to work again, owing to the aforesaid injury to his head. Deponent has been obliged to keep his son constantly in the care of a doctor, and up to the present time has paid out about \$300 for medical attendance.

PATRICK FEENEY.

Sworn to before me this 14th day of February, 1912.

G. A. RAYMOND,

Commissioner of Deeds for the City of New York.

STATE OF NEW YORK.

City of New York, County of Kings, ss:

Francis C. Vogt, being duly sworn, deposes and says: That he is a practicing physician, having offices at No. 459, Fifty-sixth Street, in the Borough of Brooklyn, city and State of New York. That deponent has attended James J. Feeney since the 19th day of June, 1910, for injuries received on the 24th day of May, 1910. That said James J. Feeney is still under treatment for resultant symptoms due to fracture of the skull and shock to the nervous system, and still has severe nervous symptoms, such as epileptic-hysteria convulsions, is

easily frightened, suffers from severe headaches and insomnia, which will require at least two years' further treatment, if a cure can ever be effected. That deponent is of the opinion that the said James J. Feeney will never completely recover from the effect of the said injuries.

FRANCIS C. VOGT, M. D.,
459 Fifty-sixth Street.

Sworn to before me this 15th day of February, 1912.

G. A. RAYMOND.
Commissioner of Deeds for the City of New York.

WASHINGTON, D. C., February 21, 1912.

I herewith submit certain papers as evidence in the claim of James J. Feeney (H. R. 19702), who met with an accident at the Brooklyn Navy Yard May 24, 1910, while in the discharge of his duty. At the time of the accident young Feeney was employed as "boy in the yard," at the rate of \$1.04 a day. Part of his duty was that of carrying water to the workmen. While in the performance of that duty, on May 24, it was necessary for him to climb a ladder to get aboard the U. S. S. *Florida*. The ladder broke, throwing young Feeney to the ground. On examination it was found that he had a fractured skull, four broken ribs, and a rupture. He was taken to the Cumberland Street Hospital and confined there until June 18, 1910. I herewith submit letter from hospital. Young Feeney was anxious to return to work, as his parents are very poor, his father being a laborer. He realized that they were in need of his small income. He was put at easy work on his return, at which he remained for four months, when it was necessary for him to give up and again go under the doctor's care. The parents of Feeney have received \$96 from the Government in payment for the time he was absent during the year following the accident. In July, 1911, Feeney was in such poor physical condition it was necessary for him to go under medical treatment and remain under the doctor's care for several months. The expense was such a strain on the parents that they—or, at least, the mother—wrote a letter to the department, making a plea for further compensation. Under date of October 25, 1911, Hon. R. S. Cable, Acting Secretary of the Department of Commerce and Labor, answered the letter, stating "that in accordance with the provisions of the act of May 30, 1908, payment of compensation can not be authorized for a period in excess of one year from the date when the incapacity began, which in this case was May 24, 1910; and as Mr. Feeney's second 'lay off' occurred after May 24, 1911, I regret to say that no further compensation can be authorized in his case." I wish to call your attention to copy of this letter filed with the bill.

In view of the fact that young Feeney is apt to be a physical wreck for the rest of his days, certain to be such for the next two years (see sworn statement of his father, Patrick Feeney, corroborated by the sworn statement of the attending physician, Dr. Francis G. Vogt), I respectfully petition the committee for their favorable consideration of this bill, calling, as it does, for but \$325.52, a sum equal to one year's pay.

Respectfully submitted.

WILLIAM C. REDFIELD.

DEPARTMENT OF PUBLIC CHARITIES,
Borough of Brooklyn, January 31, 1912.

MR. WILLIAM C. REDFIELD, Washington, D. C.

DEAR SIR: Replying to your letter of the 30th instant, I beg to inform you that James J. Feeney was admitted to the Cumberland Street Hospital on May 24, 1910, suffering from a fractured skull. He was discharged from the hospital on June 18, 1910.

Respectfully, yours,

M. A. POLGLASE,
Deputy Medical Superintendent.

DEPARTMENT OF COMMERCE AND LABOR,
Washington, October 25, 1911.

SIR: I am in receipt, through your reference, of a communication from the mother of James J. Feeney, boy, navy yard, New York, requesting that additional compensation be granted her son on account of time lost from work since July 9, 1911.

It appears that Mr. Feeney was injured May 24, 1910, and was disabled from that date until September 11, 1910, inclusive, returning to work on September 12 and remaining at work until July 9, 1911, since which date he has been absent. The record also shows that for the time lost between May 24, 1910, and September 11, 1910, compensation has been paid under this department's approval, dated July 6, 1910.

I have the honor to advise you that in accordance with the provisions of the act of May 30, 1908, payment of compensation can not be authorized for a period in excess of one year from the date when the incapacity began, which in this case was May 24, 1910, and as Mr. Feeney's second "lay off" occurred after May 24, 1911, I regret to say that no further compensation can be authorized in his case.

Very respectfully,

BEN. S. CABLE, *Acting Secretary.*

The SECRETARY OF THE NAVY,
Washington, D. C.

BROOKLYN, N. Y., April 23, 1912.

HON. WILLIAM C. REDFIELD,
House of Representatives, Washington, D. C.

DEAR SIR: You will no doubt be interested in knowing that my son, James J. Feeney, in whose behalf you so kindly introduced a bill in Congress to compensate him for injuries received while in the employ of the Government, died on the 11th of this month as a result of his injuries. I would certainly be very grateful if the bill could be got through, so that I could pay the doctor's bills and the expense of the burial, which, as you can realize, have been very heavy on me. You are familiar with the circumstances surrounding the case, and I am quite sure that you will do everything in your power to push the matter for me.

Very truly, yours,

PATRICK FEENEY.

[Inclosure.]

JAMES J. FEENEY.

James J. Feeney, of 365 Fifty-eighth street, who was injured by a fall in the navy yard in 1910, died yesterday. He was born in Brooklyn, was a member of Our Lady of Perpetual Help Church, and is survived by his parents, two brothers, William and John, and one sister, Helen. Joseph Redmond, of 90 King Street, has charge of the burial in Holy Cross Cemetery, Sunday afternoon at 2 o'clock.

[H. R. 14744, Sixty-second Congress, second session.]

A BILL For the relief of Stanley J. Morrow.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized to pay to Stanley J. Morrow, formerly of Dakota Territory, but now of the State of Ohio, the sum of one hundred and sixty-three dollars and sixty-five cents, out of any money in the Treasury not otherwise appropriated, in full satisfaction for one building and photograph materials and other property and damages to business resulting from the appropriation of said property by the War Department, at Fort Custer, Montana, in eighteen hundred and seventy-eight and eighteen hundred and seventy-nine.

Mr. Francis, from the Committee on Claims, submitted the following report (to accompany H. R. 14744):

The Committee on Claims, to whom was referred the bill (H. R. 14744) for the relief of Stanley J. Morrow, having considered the

same, report thereon with a recommendation that it do pass with the following amendment:

In lines 5 and 6, strike out the words "three thousand four hundred and ninety-eight dollars and forty-eight" and insert in lieu thereof "one hundred and sixty-three dollars and sixty-five."

Your committee having had under consideration H. R. 14744, for the relief of Stanley J. Morrow, submits the following:

This claim arises by reason of certain property being taken by the United States Army at Fort Custer, Dak., in the year 1880. This property consisted of a building and certain photographic machinery, which building was appropriated to the use of the Army. The Army officers claim that they thought the building had been abandoned, but admitted that they took possession of same, improved it, and used it for Army purposes. This claim has been repeatedly introduced and was favorably reported in the Fiftieth Congress, with a recommendation that it pass and that he be allowed \$498.45, which was the itemized amount of his loss as stated by himself. The officer commanding at Fort Custer, however, states that the claimant's loss would not amount to more than \$163.65. Your committee is of the opinion that from the evidence the claimant owned the building in question and that the United States Government took it and appropriated it to its own use, and that his loss should be compensated for in the amount stated above.

There is attached hereto Report No. 2875, Fiftieth Congress, first session, which is made a part of this report.

The Committee on War Claims, to whom was referred House bill 7993, submit the following report:

It appears from the evidence submitted that in the year 1880 the petitioner, S. J. Morrow, erected a building and established a photograph gallery at Fort Custer, in Dakota Territory; that the post was then under the command of J. W. Davidson, colonel in command of cavalry. It appears that S. J. Morrow made application to establish this gallery, and that the same was erected with the knowledge and consent of the military authorities, but after the building had been used for a time S. J. Morrow was called away on account of the sickness of his wife, and in his absence the property was taken possession of by the military authorities and used for military purposes; subsequently Mr. Morrow returned and demanded pay for his property, claiming that it was worth the following sums, which he claimed to have paid out:

Paid carpenter.....	\$181. 00
Paid assistant carpenter.....	112. 00
Paid for sawing and hauling logs.....	59. 50
Paid for sawing and hauling logs.....	73. 25
Paid laborers.....	24. 50
Paid for sash, doors, glass, etc.....	47. 60
	498. 45

Mr. Morrow presented his claim for damages to the quartermaster, and a controversy arose as to the liability of the Government upon the ground that the building was erected on a "Government reservation." And the military authorities also contended that the Government teams hauled some of the lumber, and it was further claimed that the property had been abandoned by Mr. Morrow.

Mr. Morrow not only claimed the amount of money he had paid out, but insisted that he was entitled to a large sum of money for damages, all of which the quartermaster refused to pay.

The evidence most clearly establishes the fact that Mr. Morrow paid out money for this property and that afterwards the Government took possession of and used it and has not paid for it; and the buildings were erected on the Government reservation with the knowledge of the military officials, they giving some assistance. We recommend that no damages be paid, but recommend that Mr. Morrow be paid the sum of \$498.45, the amount of money he paid out. All of which is respectfully submitted.

[H. R. 22377, Sixty-second Congress, second session.]

A BILL To carry out the findings of the Court of Claims in the case of James H. Dennis.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, directed to pay to the personal representative of James H. Dennis the sum of twenty-six thousand five hundred and thirty-eight dollars, being the sum found by the Court of Claims to be due to him by reason of certain contracts for the improvement of the Tennessee River.

Mr. Cantrill, from the Committee on Claims, submitted the following report (to accompany H. R. 22377):

The Committee on Claims, to whom was referred the bill (H. R. 22377) to carry out the findings of the Court of Claims in the case of James H. Dennis, having considered the same, report thereon with a recommendation that it do pass.

The committee begs leave to report as part of its conclusions Report No. 1792, House of Representatives, in the Fifty-eighth Congress, second session. This report gives a full history of this claim and shows its justice beyond any controversy. Since this report was filed in the Fifty-eighth Congress this claim was passed through the Senate in the Sixty-first Congress, but for lack of time failed of passage in the House of Representatives.

The widow of Mr. James H. Dennis is personally known to Mr. Cantrill, of the Committee on Claims. She is in advanced years and has greatly suffered by the injustice that has been done her in withholding the amount of money asked for in this bill. Her husband was financially ruined by the failure of the Government to pay him what was justly due him. In accordance with the finding of the Court of Claims and of numerous favorable reports in both branches of Congress the Committee on Claims recommends the passage of H. R. 22377. There has never been in any Congress an adverse report of this claim.

[House Report No. 1792, Fifty-eighth Congress, second session.]

The Committee on Claims, to whom was referred the bill (H. R. 8118) to carry out the findings of the Court of Claims in the case of James H. Dennis, beg leave to report the bill back to the House with the recommendation that it be amended by striking out the words "twenty-five thousand six hundred and thirty-eight" and inserting in lieu thereof "twenty-six thousand five hundred and thirty-eight," and that as so amended the bill do pass.

The necessity of the proposed amendment arises simply from an error in addition, and the bill should have carried the sum of \$26,538.

The committee, through a subcommittee of its members, has made a complete examination not only of the findings of fact reported by the Court of Claims, but of the history of the case, and ascertained that the above amount is justly due the claimant.

The case arises out of certain contracts made by the Government of the United States with James H. Dennis for the improvement of the Tennessee

River, which were made between October, 1868, and April, 1872. Mr. Dennis expended a large amount of money in carrying out the contracts, and as a result of not being paid by the Government lost his entire fortune. He made numerous efforts to have his claim adjusted, and the War Department referred the matter to a board of Army officers, who reported adversely to his claims, but Gen. Weitzel, who represented the United States in making the original contracts, while deciding against Mr. Dennis on legal grounds, says in his report:

"Notwithstanding all that I have above said, it is clear to me that Mr. Dennis is financially ruined, and that many innocent persons who assisted him in the prosecution of his work, and to whom he is indebted, will suffer heavily. It would therefore afford me the greatest pleasure if the Government would in some manner grant such relief as its generosity may suggest."

Mr. Dennis then appealed to Congress. In March, 1884, a bill was introduced into Congress for the relief of James Harvey Dennis in respect of work done by him in the improvement of the Tennessee River between October, 1868, and April, 1872. This bill was referred on July 6, 1884, by the House of Representatives, under the Bowman Act, to the Court of Claims. The claimant's petition was filed in that court on the 1st of November, 1884 (No. 147).

The Government moved to dismiss the petition for want of jurisdiction in the Court of Claims on the ground that the claim, being barred by the statute of limitations, could not be referred under the Bowman Act. This motion was overruled on February 2, 1885. (C. Cls., R. XX, p. 120.)

Issue was joined and the claimant and the Government severally introduced a large amount of evidence in support of and in opposition to the claim.

The case having been argued and submitted was, on June 4, 1888, dismissed for want of jurisdiction in the Court of Claims, on the ground that the claim being for unliquidated damages could not be referred under the Bowman Act. (C. Cls., R. XXIII, 324.)

In the meanwhile the act of March 3, 1887, known as the Tucker Act, had been passed. On September 19, 1888, another bill for the relief of the claimant was introduced in the Senate, and on September 29, 1888, was referred by that body to the Court of Claims under the Tucker Act. The claimant filed in the court a new petition on the 5th of October, 1888 (No. 6530). On December 8, 1888, a motion was made to dismiss the new case (No. 6530) for want of jurisdiction, which was denied on December 13, 1888. The case was argued February 13, 14, and 19, 1889, and finally submitted to the court on February 19, 1889. On December 9, 1889, the court filed its findings. On January 4, 1890, a motion was made by the claimant for a new trial. On March 3, 1890, the Court of Claims filed amended findings, a certified copy of which was transmitted to the Senate on March 7, 1890.

The findings of the Court of Claims in favor of the claimant for work performed and not paid for were in effect as follows:

Allowance for work at the—

Suck (p. 18)-----	\$15, 746
Boiling Pot (p. 20)-----	3, 600
Buck Island (p. 21)-----	900
Colbert Shoals-----	2, 408
Colbert Island-----	2, 706
Bee Tree Shoals-----	1, 178

26, 538

In the trial of the case in the Court of Claims the United States took the testimony of Maj. Overman and Maj. Adams, two of the officers of the Engineer Corps employed on the Tennessee River improvement. It introduced also the evidence of Maj. Overman given before the board of Army officers who were appointed to report upon that work, as also the evidence of Gen. Weitzel, of the Engineer Corps, with whom Dennis originally contracted. The Government also introduced in evidence report made by Maj. McFarland, of the Corps of Engineers, to the board of Army Officers. He had been in charge of the work for a part of the time. The Government, therefore, through these and other witnesses, had the benefit of a full detail of all the facts and circumstances connected with the work of the improvement of the Tennessee River from its commencement, and was represented by the Attorney General of the United States, through his assistant.

The work done by Dennis was at various points on the river, and involved the introduction of a great deal of data, and the total claim was for \$259,700. The Court of Claims in its findings made a voluminous report, both of the items allowed and those disallowed, and the report not having been printed there resulted some apparent obscurities in the findings of the court. In order that there might be no misconception of the items found in favor of Mr. Dennis, a letter was addressed to Chief Justice C. C. Nott, of the Court of Claims, by Mr. James Lowndes, one of the counsel of Mr. Dennis, who tried the case, and in reply thereto the chief justice gives, in a letter under date of March 10, 1904, a succinct statement of the items allowed by the court, which corresponds exactly with the various items found by the committee, upon examination, to be contained in the findings of the court as originally filed with the United States Senate. A copy of Judge Nott's letter is herewith inserted:

FEBRUARY 10, 1904.

DEAR SIR: In reply to your inquiries relative to certain obscurities in the report of the Court of Claims in the case of James H. Dennis, filed March 3, 1890, I am constrained to say that only two of the judges who were on the bench at the time the case was tried are now living, and that this communication must be considered as my individual act, and not that of the court.

As the court made an immense reduction in the claims brought before it in this suit, it was deemed more just to the claimant to set forth in the report to Congress both the amounts allowed and disallowed, so that if Congress saw fit they would have the facts before them which would enable them to make a larger allowance to the claimant than the court has done. Unfortunately, the course pursued made the findings almost hopelessly voluminous, and the details of what was claimed by the claimant and allowed by the court have caused the obscurities.

Without referring to the disallowed items, I will briefly summarize those which were allowed:

<i>Finding II</i> .—Of work done at a point on the Tennessee River known as Suck Bar, the claimant was paid for 25,170.85 cubic yards of excavation, but was not paid for 4,199 cubic yards, which the court finds to be reasonably worth \$3.75 per cubic yard, amounting to the sum of...	\$15, 746
<i>Finding VIII</i> .—At a point on the Tennessee River known as Bolling Pot the claimant excavated 13,500 cubic yards of rock, for which he was paid. In the fall of 1871 he further excavated 2,400 cubic yards at said point, for which he was not paid, and which the court finds to be reasonably worth \$1.50 per cubic yard, amounting to the sum of....	3, 600
<i>Finding IX</i> .—At a point on the Tennessee River known as Rock Island the claimant was paid for 2,000 cubic yards of riprap, but was not paid for 400 cubic yards, which the court finds to be reasonably worth \$2.25 per cubic yard, amounting to.....	900
<i>Finding IX</i> .—In consequence of an erroneous system of computation of the quantities and for work paid for at a point on the Tennessee River known as Colbert Shoals, but at \$1.05 per cubic yard less than the contract price, the court finds the amount due to the claimant to be.....	2, 408
<i>Finding X</i> .—For riprap masonry at a point on the Tennessee River known as Colbert Island, for which the claimant was not paid in consequence of an erroneous system of computation of the quantities and for work paid for at the same place, but at less than the contract price, the court finds due to the claimant the sum of.....	2, 700
<i>Finding XII</i> .—In consequence of an erroneous system of computation of the quantities, the court finds that there is due the claimant for riprap masonry done at point on the Tennessee River known as Bee Tree Shoals the sum of.....	1, 178
Total.....	26, 538

Respectfully,

C. C. NOTT.

JAMES LOWNDES, Esq., Washington, D. C.

Subsequent to the filing of the findings of the Court of Claims a bill was introduced in Congress "to carry out the findings of the Court of Claims." This bill was reported favorably to the Senate, Report No. 830, Fifty-first Congress, first session, and a similar bill was favorably reported in the Fifty-second

Congress, first session, Report No. 512. In the Fifty-fifth Congress, second session, an appropriation for James H. Dennis was embraced in the Senate omnibus bill, favorable Report No. 544, and in the same Congress was favorably reported in the House, Report No. 595.

The bill as a separate measure passed the Senate in the Fifty-first Congress, first session, and in the Fifty-second Congress, first session, and this claim, with others, passed the Senate in the omnibus bill, Fifty-first Congress, second session. In the House of Representatives, Senate bill for the payment of James H. Dennis was favorably reported, Fifty-first Congress, first session, Report No. 2592, and also in the Fifty-second Congress, second session, Report No. 1601. A House bill for the same purpose in the Fifty-third Congress, second session, was favorably reported; also in the Fifty-fourth Congress, first session, Report No. 639, and in the Fifty-fifth Congress, second session, Report No. 313.

The committee, to fully satisfy itself that no further payments had been made since that of \$19,229.79, this being the total amount of retained percentage, wrote to the War Department for information as to any other payments, and received in reply a letter stating that their records do not show any subsequent payments. The War Department, through Brig. Gen. Mackenzie, goes on to state in its letter of February 26, 1904, the conclusion that full justice had been done to Mr. Dennis by the department, and inclosed a printed copy of the opinion of the Court of Claims as evidence of that fact. By a subsequent letter from the department, however, under date of March 17, 1904, the department states that it had fallen into an error, and was not apprised of the fact that subsequent to the findings of the court, upon which its first letter was based, the case had been referred by the United States Senate to the Court of Claims, under the Tucker Act of March 3, 1887, and that the court, after an examination and trial of the case, had reported its findings to the Senate, ascertaining the amount due the claimant.

The bill herewith reported is based on these last findings, of which the War Department had not been furnished a copy and of which it had no knowledge when its first letter was written. The two letters from the War Department, dated, respectively, February 26, 1904, and March 7, 1904, and both bearing the signature of Brig. Gen. A. Mackenzie, Chief of Engineers, the second having been written to correct the mistake made in the first, are appended to this report.

Upon a review of all the facts of the case the committee finds the sum of \$26,538 as due and owing for work performed by Mr. Dennis and not paid for, and they recommend that the bill be amended by inserting that sum in place of the amount stated therein, and that the bill as amended do pass.

FEBRUARY 26, 1904.

SIR: 1. I have the honor to return herewith the letter dated February 19, 1904, from Hon. Joseph V. Graff, inclosing House bill 8118, Fifty-eighth Congress, second session, to carry out the findings of the Court of Claims in the case of James H. Dennis.

2. The records of this office show that on January 14, 1874, Maj. Walter McFarland, Corps of Engineers, transmitted to B. H. Bristow, attorney, Louisville, Ky., checks drawn in favor of James H. Dennis for \$19,229.79, the total amount of retained percentage ascertained to be due him for work upon the improvement of the Tennessee River, vouchers for this amount having been duly signed by Mr. Dennis. The vouchers exhibiting all the particulars as to date, amount, etc., are filed in the Treasury Department.

3. The records of this office do not show that any subsequent payments have been made to Mr. Dennis for work upon the Tennessee River improvement.

4. In this connection it may be proper to state that in 1871 claims of Mr. Dennis under his several contracts for the improvement of the Tennessee River were presented to this office, and, after a full examination of them by the officers with whom the contracts were made and a thorough investigation of all the facts of the case, the conclusion was reached that they were not well founded and consequently should not be allowed, and Mr. Dennis was so informed by letter from this office March 1, 1872.

5. Subsequently the matter was brought before the Secretary of War by the attorney for Mr. Dennis and was referred to the Assistant Judge Advocate General, who recommended an investigation by a board of experts as the best means of procuring full and satisfactory information respecting the merits of

the claim. Accordingly a board of officers was convened, which met at Louisville in October, 1872, and, after an investigation of all the evidence produced and statements made by both parties, a final conclusion was reached in March, 1873.

6. A brief history of the claim of J. H. Dennis is given in a letter to the Secretary of War May 8, 1874, and all papers pertaining to the claim have been sent to the Secretary of War under different dates.

7. In the opinion of this office Mr. Dennis has received all the money he is entitled to receive under his contract, original or assigned, for the improvements of the Tennessee River, and full justice appears to have been done him in all his transactions with this department.

8. A printed copy of the findings and opinion of the Court of Claims referred to in the accompanying H. R. 8118, is inclosed.

Very respectfully, your obedient servant,

A. MACKENZIE,

Brig. Gen., Chief of Engineers, U. S. Army.

Hon. WM. H. TAFT,
Secretary of War.

MARCH 7, 1904.

SIR: 1. Referring to letter from this office of the 26th ultimo, in reply to a letter of February 19, 1904, from Hon. Joseph V. Graff, chairman House Committee on Claims, inclosing copy of H. R. 8118, Fifty-eighth Congress, second session, to carry out the findings of the Court of Claims in the case of James H. Dennis, I desire to say that while the printed copy of the findings of opinion of the Court of Claims, submitted with the letter from this office and mentioned in paragraph 8, was the only copy of such findings on the records of this office, it appears it was not the document referred to in H. R. 8118, a subsequent finding of the Court of Claims having been filed March 3, 1890.

2. I have the honor therefore to request that paragraphs 7 and 8 of letter of February 26 be stricken out, or not considered, and the following substituted in lieu thereof:

"7. On September 21, 1888, pursuant to a resolution of the Senate, a bill (S. 3571) entitled 'A bill for the relief of James Harvey Dennis,' was referred to the Court of Claims to find and report the facts bearing upon the merits of the claim. This finding was filed March 3, 1890, but there is no record of it in this office."

Very respectfully, your obedient servant,

A. MACKENZIE,

Brig. Gen., Chief of Engineers, U. S. Army.

Hon. WM. H. TAFT,
Secretary of War.

[H. R. 21355, Sixty-second Congress, second session.]

A BILL To carry out the findings of the Court of Claims in the case of Herbert O. Dunn,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Herbert O. Dunn, the sum of four thousand five hundred and eighty-one dollars and twenty-four cents, said amount having been found due by the Court of Claims as set forth in Senate Document Numbered Two hundred and forty-five, second session Fifty-ninth Congress.

Mr. Ainey, from the Committee on Claims, submitted the following report (to accompany H. R. 21355):

The Committee on Claims, to whom was referred the bill (H. R. 21355) for the relief of Herbert O. Dunn, having considered the same, report thereon with a recommendation that it do pass.

The claimant, Herbert O. Dunn, lieutenant commander, of the United States Navy, on January 1, 1889, patented an anchor (Let-

ters Patent No. 395429), which was extensively manufactured and used by the United States Government.

On March 3, 1905, a bill in the interest of the claimant was introduced in the United States Senate referring the matters to the Court of Claims under the provisions of the Tucker Act.

On January 23, 1907, the report of the Court of Claims in favor of claimant was filed and the findings of fact appear in Senate Document No. 245, Fifty-ninth Congress, second session. A copy of this report is hereto attached.

Among the other facts found by the Court of Claims are that—

if claimant is to be paid for the manufacture and use of the anchors so patented by him the reasonable royalty therefor at the time the same were manufactured was—four cents per pound on 114,531 pounds—the sum of four thousand five hundred and eighty-one dollars and twenty-four cents.

[Senate Document No. 245, Fifty-ninth Congress, second session.]

COURT OF CLAIMS, CLERK'S OFFICE,
Washington, January 23, 1907.

SIR: Pursuant to the order of the court I transmit herewith a certified copy of the findings of fact filed by the court in the aforesaid cause, which case was referred to this court by resolution of the United States Senate, under the act of March 3, 1887, known as the Tucker Act.

I am, very respectfully, yours,

JOHN RANDOLPH,
Assistant Clerk Court of Claims.

HON. CHARLES W. FAIRBANKS,
President of the Senate.

[Court of Claims. Congressional, No. 11901. Herbert O. Dunn v. The United States.]

STATEMENT OF CASE.

This is a claim for royalty for the use of improvements in anchors used by the United States Navy. On March 3, 1905, the United States Senate, by resolution, referred to the court under the act of March 3, 1887, known as the Tucker Act, a bill, of which the following is a copy:

"A BILL For the relief of Herbert O. Dunn.

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of four thousand eight hundred and fourteen dollars and four cents be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to be paid to Herbert O. Dunn for improvements in anchors in use in the United States Navy, for which he has received no compensation."

The claimant appeared and filed his petition in this court in which he avers among other things, that he is a citizen of the United States and a lieutenant commander in the United States Navy; that prior to January 1, 1889, he invented an anchor, which was patented on said date by him, letters patent therefor being issued to him; that said invention was made by him in his own time after his work for the United States had ceased for the day and at times when he was not required to render any service to the United States; that he was not assigned by his superior officer to the duty of making or improving anchors, nor was he ordered or directed to make experiments with a view of suggesting such improvements at the time said anchor was invented by him; that no expense was incurred on behalf of the United States on account of said invention; that he paid the fees and other expenses incidental to the making of the said invention and the issuance of the letters patent out of his own private funds.

That in the year 1889 the United States, without his consent and without obtaining his consent, manufactured 19 anchors under his said patent, aggre-

gating in weight 120,351 pounds, the reasonable royalty upon which is 4 cents per pound, that being the amount he received on said anchors manufactured under said patent from a private manufacturer; that at the time of the manufacture of said anchors by the United States the only method of manufacturing anchors was by the process of forging, which cost the Government from 20 to 28 cents per pound, while by the claimant's patent the Government saved in the manufacture of said 19 anchors the sum of \$19,737.56, a saving on each anchor of 0.164 cents per pound.

That in the year 1901 the United States, without the knowledge or consent of the claimant, manufactured at the Boston Navy Yard parts of his anchor under his said patent, aggregating 57,146 pounds, upon which a reasonable royalty on said parts of anchors was three-fourths of a cent per pound, for all of which he claims \$5,242.54.

The case was brought to a hearing on merits on December 10, 1906.

Charles W. Clagett, Esq., appeared for the claimant, and the Attorney General, by F. DeC. Faust, Esq., his assistant, and under his direction, appeared for the protection and defense of the interests of the United States.

The court, upon the evidence, and after considering the briefs and argument of counsel on both sides, makes the following

FINDINGS OF FACT.

I. The claimant, Herbert O. Dunn, lieutenant commander of the United States Navy, acted as assistant to the Chief of the Bureau of Equipment of the Navy Department in the years 1886 and 1887, which department furnished supplies coming under said bureau for all naval vessels, including anchors. As assistant to the chief of said bureau it was the duty of the claimant to examine and pass upon requisitions for equipment and supplies and to act as general aid to said chief in special matters and on reports which came to him and upon which the chief of said bureau desired information.

II. At and prior to the time hereinbefore stated the Navy Department experienced trouble from their anchors then in use by the department, and the claimant while in the discharge of his duties observed that the anchors then being furnished were not designed correctly and were manufactured by the method of forging, which method, though satisfactory, was expensive. As a result of the observation of the claimant he conceived a new and different design for an anchor, to be made by casting in steel instead of forging in iron.

III. On June 1, 1886, the claimant made application to the Patent Office for a patent covering his design of an anchor, which he described in the specifications as follows:

"My invention relates to the kind of anchors having movable flukes, and its object is to simplify the construction and improve the efficiency of such anchors, and at the same time insure quick 'biting' or 'taking' power of the flukes. In addition it prevents the loss of any part of the anchor should the axial bolt or pin be broken in actual use."

The anchor so designed by the claimant and patented as aforesaid was so designed by him in his own time and without his official hours in the department. The claimant was not required nor ordered to make experiments for improvements in naval anchors, nor did the Government furnish him any facilities therefor or incur any expense therein.

IV. On January 1, 1889, Letters Patent No. 395429, covering said invention, were issued to the claimant by the United States.

V. In the year 1889 the Chief of the Bureau of Equipment of the Navy Department, with the consent of the claimant, caused to be manufactured at the Boston Navy Yard the first anchor ever made from the claimant's design, the object being to try said anchor in competition with other anchors then in use by the Navy. The anchor was intended to carry out the design covered by the claimant's patent, but owing to difficulties encountered in forging the anchor of iron it was not made correctly.

At the time of the manufacture of said anchor there was no agreement of any kind for the payment to the claimant of any compensation for the use of his design in the manufacture of that particular anchor. The object of the manufacture of said anchor was to satisfy the Chief of the Bureau of Equipment that it was a practical working anchor, and nothing was said by the claimant at the time about restricting the Government to the manufacture of that one anchor.

VI. Prior to the date of manufacture of said anchor there were two styles of anchor in use by the Navy, one known as the Navy type and the other as the Williams anchors, both of which were made by the process of forging iron at a cost ranging from 14 cents to 21 cents and from 13 cents to 41 cents per pound, respectively. The claimant's principal idea in making his investigation was to have the anchors of his design cast in all steel, but the Boston Navy Yard had no facilities therefor, and for that reason the anchor was forged of iron at a cost of 41 cents per pound, which cost was greater than it would have been had said navy yard had facilities for casting in all steel.

VII. Early in the year 1890 the claimant was ordered to sea and remained there until 1892, during which time the Bureau of Equipment caused to be manufactured by the steel-casting process 18 anchors of a design similar to that covered by the claimant's patent, aggregating in weight 114,531 pounds, and ranging in cost from 14 cents to 22 cents per pound. The said 18 anchors so manufactured by the United States were the first anchors in which the steel-casting process had been used, and in their manufacture the first opportunity was afforded to test the practicability of that process and to determine the value of the claimant's patented anchor for use of large vessels of the Navy. In the process of manufacturing the United States assumed the entire risk of the experiments, supplying the necessary plant, labor, and materials therefor, all without cost to the claimant and without his knowledge.

VIII. Upon the return of the claimant from sea duty and after said anchors had been manufactured, the claimant entered into an agreement with the Consolidated Steel Co., of Alliance, Ohio, and its successor, the American Steel Casting Co., dated May 29, 1890, and November 1, 1894, respectively, whereby the claimant assigned to these respective companies all of his right under the patent theretofore granted him, including the exclusive right of manufacture and sale, the consideration therefor being the payment by such companies of royalties to him as follows:

Under the first agreement 4 cents per pound upon anchors sold to the United States and 20 per cent of the purchase price upon anchors sold to purchasers other than the United States.

Under the second agreement the royalty was reduced to 2½ cents per pound upon Government sales and 1½ cents per pound upon all other sales. On April 3, 1897, this latter royalty, by mutual agreement, was modified to 2 cents and 1 cent per pound, respectively, and in 1902 the royalty was again still further reduced to three-fourths of a cent per pound; and under an improved and later patent the claimant is now receiving three-fourths of a cent per pound on anchors sold to the United States under an agreement with the American Steel Foundries Co., upon whom the claimant has conferred the exclusive right of manufacture.

IX. The claimant's patent did not cover the process of casting anchors in steel, and as a result thereof other companies entered into the manufacture of anchors, making minor changes in shape sufficient to procure patents therefor, and such other companies are now making practically the same anchor as that covered by the claimant's patent; and this accounts for the reduction in the price of royalties.

No action of infringement has been instituted by the claimant against anyone.

X. If the claimant is to be paid for the manufacture and use of the anchors so patented by him, the reasonable royalty therefor at the time the same were manufactured by the United States, exclusive of the first anchor, which was forged as an experiment with the consent of the claimant and for the mutual benefit of himself and the United States, was 4 cents per pound, or for the 114,531 pounds the sum of four thousand five hundred and eighty-one dollars and twenty-four cents (\$4,581.24).

No allowance is made for the parts of anchors described in the petition, as the evidence in respect thereto is too indefinite; nor is any allowance made for the weight of the first anchor for the reason stated.

XI. On the claimant's return from abroad in 1892 he presented his claim to the Navy Department, and thereafter caused bills to be introduced into Congress at the various sessions thereof until the same was referred to this court by resolution of the United States Senate, as hereinbefore set forth.

BY THE COURT.

Filed January 21, 1907.

A true copy.

Test this 23d day of January, A. D. 1907.

[SEAL.]

JOHN RANDOLPH,
Assistant Clerk Court of Claims.

[H. R. 23342, Sixty-second Congress, second session.]

A BILL For the relief of the heirs of the late Peter Deel.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he hereby is, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the heirs of the late Peter Deel, one hundred and sixty-four dollars and forty-seven cents, for services rendered in carrying mail on route numbered seventy-four hundred and eighty-seven, Mississippi, from January first, eighteen hundred and sixty-one, to May thirty-first, eighteen hundred and sixty-one.

Mr. Dickinson, from the Committee on Claims, submitted the following report (to accompany H. R. 23342):

The Committee on Claims, to whom was referred the bill (H. R. 23342) for the relief of the heirs of Peter Deel, having considered the same, report thereon with a recommendation that it do pass.

The committee has carefully considered said bill for the relief of the late Peter Deel, and beg leave to report that the said Deel was contractor for carrying mails on route No. 7487 in Mississippi, in the contract term from July 1, 1858, to June 30, 1862, and that he was not paid for service from January 1, 1861, to May 31, 1861, when the mail service was suspended in the Southern States.

The Auditor of the Treasury Department states that there is due for this service the sum of \$164.47 and the payment awaits an appropriation by Congress.

The committee attaches hereto letter under date of April 12, 1912, from C. H. Keating, acting auditor, which is made a part of this report.

TREASURY DEPARTMENT,
OFFICE OF AUDITOR FOR POST OFFICE DEPARTMENT,
Washington, April 12, 1912.

HON. H. D. STEPHENS,
House of Representatives.

SIR: This office is in receipt, by reference from the Second Assistant Postmaster General, of your letter of the 29th ultimo, transmitting a letter from Mr. J. W. Deel relative to a sum due to the estate of Mr. Peter Deel for carrying mails in 1861.

Mr. Peter Deel was contractor for carrying mails on route No. 7487, Mississippi, in the contract term from July 1, 1858, to June 30, 1862. He was paid in full for services rendered to December 31, 1860.

Mr. Deel's account, covering the period from January 1, 1861, to the date the Postmaster General suspended mail service in the Southern States, viz, May 31, 1861, shows a balance of \$164.47 in his favor. Payment of that sum can not be made without an appropriation by Congress. Whenever the necessary appropriation is made the matter of payment will receive prompt attention.

Mr. Deel's letter is returned.

Respectfully,

C. H. KEATING,
Acting Auditor.

[H. R. 14834, Sixty-second Congress, second session.]

A BILL For the relief of J. N. Whittaker.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to J. N. Whittaker, of Richmond, Virginia, out of any money not otherwise appropriated, the sum of one thousand

H. Rept. 650—62-2—3

dollars, in full settlement for legal services rendered by him to the United States between March, nineteen hundred and four, and June, nineteen hundred and six, in the matter of acquiring title by the United States to land necessary for the improvement of the Appomattox River, Virginia.

Mr. Ainey, from the Subcommittee on Claims, submitted the following report (to accompany H. R. 14334) :

The Committee on Claims, to whom was referred the bill (H. R. 14334) for the relief of J. N. Whittaker, having considered the same, report thereon with a recommendation that it do pass.

The amount carried in the bill (\$1,000) is for services rendered by claimant, an experienced title examiner, in connection with the acquisition by the Government of several lots and tracts of land in Virginia.

There appears to be no question as to the value of services, nor that the same were rendered at the request of the United States attorney for the eastern district of Virginia, who, because of other official engagements, could not do the work. The Government acquired title to the property under the information and abstracts furnished by the claimant.

The departmental correspondence appended approves of the amount. The reason claimant is obliged to ask relief at hands of this Congress is because of the lack of authority of the United States attorney to bind the Government to the payment.

DEPARTMENT OF JUSTICE,
Washington, February 17, 1909.

SIR: Referring to department letter dated January 29, 1909, relative to H. R. 20862, entitled "A bill for the relief of J. N. Whittaker," the department regrets that by inadvertence said letter did not discuss the merits of the claim covered by said bill, but discussed another claim presented by Mr. Whittaker, about which several letters had recently been written to him. The claim covered by H. R. 20862 was also covered by Senate bill No. 6707, and this last-mentioned bill was transmitted to this department by the chairman of the Committee on the Judiciary, United States Senate.

In a letter of this date to the said chairman, the Attorney General said:

"The claim is for services rendered under the following circumstances:

"The War Department had made arrangements whereby it acquired certain property by donation. Under the law, when any real property is to be purchased, the seller is required to furnish the necessary abstracts, which are to be examined by the proper United States attorney. As the real estate above mentioned was donated, the department could not ask the grantors to go to the expense of procuring the necessary abstracts. Upon these facts being brought to the attention of the Attorney General, the United States attorney for the eastern district of Virginia was instructed to cooperate with Capt. E. E. Winslow, of the Corps of Engineers, U. S. Army, and to render him necessary assistance in acquiring title to the lands in question. In a letter to this department dated July 28, 1906, the said United States attorney says:

"At the time of the receipt of this letter the then assistant United States attorney could not do the work. I was very much engaged on urgent official business, particularly in the chancery court of this city, in connection with the cruiser *Galveston* and other vessels in which the Government had an interest. In the litigation in that court with the William R. Trigg Company, the builders. At my request Mr. Whittaker, an experienced title examiner, who had formerly been connected with this office, kindly agreed to make the necessary examination of titles, and from time to time he submitted abstracts of title, prepared by him in the matter, to me for my approval. Mr. Whittaker devoted a great deal of time to this work, and I herewith transmit carbon copy of a letter addressed to me by him on the completion of the work, in June last, which sets out in detail the amount of work done by him in securing satisfactory titles.

"When the examination was completed, and the last transfer of title made to the United States, it was suggested to Mr. Whittaker by the Engineer officer in Norfolk, Va., as he informed me, that he render a bill for his services in this matter, after first procuring my approval, which he did, accordingly, and which is the bill in question.

"I beg leave to say, further, that I did not assume to employ Mr. Whittaker under authority from the Department of Justice, or from any other source, for I had no such authority, and that I consider the amount charged (\$1,000) to be a reasonable compensation for the services rendered."

"In view of the foregoing, it is believed that the said bill for the relief of Mr. Whittaker should have been referred to the Secretary of War rather than to the Attorney General, as the work appears to have been done for that department rather than for the Department of Justice.

"It is understood that Mr. Whittaker rendered the services mentioned when he was a clerk to the United States district judge for the eastern district of Virginia, but it is not contended that he rendered the services as such clerk, or that it was his duty to do so."

Will you kindly substitute this letter for the letter dated January 29, 1909?

Respectfully,

CHARLES J. BONAPARTE,
Attorney General.

Hon. J. M. MILLER,
*Chairman Committee on Claims,
House of Representatives.*

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF ENGINEERS,
Washington, February 10, 1909.

SIR: Receipt is acknowledged, by reference, of a copy of H. R. 20862, with the request of the chairman of the committee of the House of Representatives for all the facts and information concerning the matter, which is a bill for the relief of J. N. Whittaker, and an opinion touching the merits of the claim.

It is believed that the facts in the possession of this office may best be presented by copies of correspondence in connection with the claim when presented to the department for payment in 1906.

From this correspondence it appears that in compliance with the request of Maj. E. Eveleth Winslow, Corps of Engineers, for such legal assistance as he required and was entitled to under section 361, Revised Statutes, such request having been made through the War Department and the Department of Justice in the usual manner, Mr. Whittaker, at the request of Hon. L. L. Lewis, United States attorney for the eastern district of Virginia, "kindly agreed to make the necessary examination of titles."

The Comptroller of the Treasury, in his decision of September 27, 1906, refers to this engagement of the services of Mr. Whittaker as employed by Mr. Lewis. As to whether he was authorized to employ Mr. Whittaker when he and his assistant were too busy with other matters to give the required assistance, no opinion is expressed. Attention is invited to the fact that the Acting Attorney General, on August 1, 1906, stated that the bill was not payable from any appropriation under control of the Department of Justice, and the comptroller has decided that this department is not authorized to pay this claim.

In the opinion of this office, the services were necessary, the result thereof was satisfactory, they were accepted and availed of by the United States, and the bill is reasonable for the services rendered.

Very respectfully,

W. L. MARSHALL,
Chief of Engineers, U. S. Army.

The SECRETARY OF WAR.

ENGINEER OFFICE, U. S. ARMY,
ROOM 2, CUSTOMHOUSE,
Norfolk, Va., June 28, 1906.

GENERAL: 1. I have the honor to forward herewith a letter from Mr. J. N. Whittaker, together with the bill therein referred to, reciting in detail the services rendered by him in connection with the acquirement by the United

States of certain land needed for the diversion of the Appomattox River, Virginia, at Petersburg.

2. Mr. Whittaker has worked with great zeal, and has at all times done all in his power to promote a speedy consummation of the questions connected with the transfer of the land desired. The land purchased was acquired from several individuals and two railroad companies. In preparing the abstract of title for the parcels owned by the latter much time and expense for traveling was necessary in the searching of the records to determine what incumbrances covered the property to be conveyed to the United States.

As evidence that the work was well performed by Mr. Whittaker, I would mention the fact that all the abstracts of title to the property purchased, and the forms of deeds for its conveyance, all passed the scrutiny of the Attorney General without exception being made thereto.

3. Authority is respectfully requested to pay the amount of the bill (\$1,000) as a charge against the appropriation for "Improving Appomattox River, Virginia, at Petersburg."

Very respectfully, your obedient servant,

E. EVELETH WINSLOW,

Major, Corps of Engineers, U. S. Army.

Brig. Gen. A. MACKENZIE,

Chief of Engineers, U. S. A., Washington, D. C.

(Through Lieut. Col. DAN C. KINGMAN,

Corps of Engineers, U. S. Army,

Division Engineer Southeast Division.)

[First Indorsement.]

OFFICE OF DIVISION ENGINEER,

SOUTHEAST DIVISION,

Savannah, Ga., July 2, 1906.

1. Respectfully submitted to the Chief of Engineers, U. S. Army.

2. The service performed by Mr. Whittaker would appear to have been very necessary and to have been valuable. The amount charged for the service does not appear to be excessive, and it is respectfully recommended that payment be made.

3. I do not know whether the services of Mr. Whittaker were engaged by the Engineer Department or by the Department of Justice, and am unable to offer any opinion as to whether the payment should be charged to the appropriation for the work or not. The service rendered to the work was evidently worth the amount charged.

DAN C. KINGMAN,

Lieut. Col., Corps of Engineers,

Division Engineer, Southeast Division.

[Second Indorsement.]

WAR DEPARTMENT,

OFFICE OF THE CHIEF OF ENGINEERS,

Washington, July 14, 1906.

1. Respectfully submitted to the Department of Justice, with request for opinion as to whether the accompanying bill is properly payable from funds under the control of that department.

2. If not, the matter will be presented to the Comptroller of the Treasury, with a view to paying the account, if practicable, from the appropriation made for the diversion of the Appomattox River.

3. An expression of opinion as to the reasonableness of the bill is also requested.

By authority of the Secretary of War.

A. MACKENZIE,

Brig. Gen., Chief of Engineers, U. S. Army.

[Third indorsement.]

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF ENGINEERS,
Washington, August 8, 1906.

1. Respectfully returned to Major Winslow, inviting attention to preceding indorsements and letter from Acting Attorney General.

2. There is nothing in the within letter to show in what way or by whom Mr. Whittaker's services were engaged.

3. The account should be put in voucher form for submission to the Comptroller in such a manner as to show clearly whether the service rendered was solely in preparing abstracts of title to and conveyance of land to be purchased, or that of attorney or counsel within the meaning of section 189, Revised Statutes, which provided that "no head of a department shall employ attorney or counsel."

By command of Brigadier General Mackenzie:

W. J. BARDEN,
Captain, Corps of Engineers.

[Fourth indorsement.]

ENGINEER OFFICE, U. S. ARMY,
Norfolk, Va., August 14, 1906.

1. Respectfully returned to the Chief of Engineers, U. S. Army, with voucher, in duplicate, to cover the within-mentioned amount.

2. The services of Mr. Whittaker in examining the titles to the various parcels of land purchased for the improvement of the Appomattox River, Virginia, were engaged by the United States attorney for the eastern district of Virginia, who had been instructed by the Department of Justice to assist this office in procuring titles to the land needed.

3. The service rendered by Mr. Whittaker was solely in searching the titles and preparing abstracts.

4. Payment to Mr. Whittaker for similar services was authorized by the department on September 21, 1904, 47467/29.

E. EVELETH WINSLOW,
Major, Corps of Engineers, U. S. Army.

[Fifth indorsement.]

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF ENGINEERS,
Washington, August 21, 1906.

Respectfully submitted to the Comptroller of the Treasury for his action.

By authority of the Secretary of War:

FREDERIC V. ABBOT,
Acting Chief of Engineers.

RICHMOND, VA., June 27, 1906.

DEAR JUDGE: I beg to inclose herewith my bill for services in connection with the examination of titles to lands taken by the Government in the city of Petersburg and county of Chesterfield for the purposes of diverting the Appomattox River at those points. I deem it proper to go into detail so that you may be properly advised as to my work in this matter.

As to the Atlantic Coast Line Railway Company title:

The lands taken from this company by the Government were obtained by the Atlantic Coast Line Railway Company under seven different titles, all of which took considerable time to examine and prepare abstracts of—the company in some instances not knowing how they acquired title nor from whom. I found it exceedingly difficult to make these examinations, because the company and its predecessors had recorded their deeds sometimes in Petersburg, sometimes in Chesterfield, and sometimes in Richmond, but not all in one place. I found deeds of trust given by the predecessor railroad company of the Atlantic Coast Line Railway as far back as 1853; the first to secure \$175,000; the second executed in 1854, to secure \$150,000; the third in 1865, to secure \$175,000; the fourth in 1870, to secure \$175,000; the fifth in 1875, to secure \$400,000; the

sixth in 1861, being practically a deed to replace the one above mentioned as "fifth," but at a lower rate of interest.

As to the first four of said deeds of trust, they were existing liens at the time of my examination, and I believe their existence had been overlooked by the company, as its counsel told me he had never heard of them before. The trustees in said deeds being all dead, it became necessary to institute chancery suits in the chancery court of the city of Richmond, in the first of which the deeds of trust first, second, and third, above mentioned, were released, and in the second suit the deed fourth, above mentioned, was also ordered released of record.

As to the deed fifth, above mentioned, both trustees being dead, new trustees were appointed, who joined in the deed to the city of Petersburg to release that lien. That release also covered the deed sixth, above mentioned. Then came another deed of trust executed April 1, 1890, to the Central Trust Company, of New York, to secure \$1,000,000; then a deed of trust executed June 18, 1902, to the United States Trust Company, of New York, to secure \$80,000,000. After considerable negotiation these two trust companies executed a deed of release of the lands to be obtained by the United States from said two deeds of trust last mentioned, so that legal title could be vested in the United States and its predecessors in title.

It was also necessary to examine the various acts of assembly of Virginia incorporating the Richmond and Petersburg Railroad Company, to authorize said company to consolidate with the Petersburg Railroad Company, to allow the consolidated company to change its name to the Atlantic Coast Line Railroad Company of Virginia, and then to allow last-named company to change its name to the Atlantic Coast Line Railroad Company and issue bonds, etc. Then it was necessary to examine into the acts of the General Assembly of Virginia authorizing the diversion of the Appomattox River, the exercise of the right of eminent domain by the city of Petersburg to acquire all necessary lands, etc., the procuring of proper ordinances of the city council of the city of Petersburg respecting the work, the execution of deeds, etc., the preparation of deeds, etc., necessary to pass title from the Atlantic Coast Line Railroad Company to the city of Petersburg and from the latter to the United States.

As to Norfolk and Western Railway Company title:

It not being possible to get good title to the lands wanted on account of numerous liens recorded, it was necessary to condemn the same, which was done by regular condemnation proceedings.

The charters of the various railroad companies finally composing the Norfolk and Western Railroad Company and various acts of the Virginia General Assembly relating to said companies were all carefully examined to show title in the Norfolk and Western Railroad Company, the supervision of said condemnation proceedings, and finally the preparation of the deed from the city of Petersburg to the United States conveying the land condemned.

The foregoing work has been in progress for the past two years and has taken a considerable portion of that time to make the examinations necessary in connection therewith. Trips almost without number have been made by me to Chesterfield Court House and Petersburg; also to Norfolk and Alexandria to investigate records in the United States courts relating to these titles. The abstract of title relating to these two railroad companies alone cover 97 pages of typewritten matter.

In view of the amount of labor and time, covering twenty-four months, I have expended in this matter, I respectfully ask your indorsement of my bill as rendered, and suggest that you attach this letter thereto and forward same with your recommendation to Maj. E. E. Winslow, U. S. Engineers, Norfolk, Va.

Yours, respectfully,

J. N. WHITTAKER.

Hon. L. L. LEWIS,
United States Attorney, Richmond, Va.

RICHMOND, VA., June 27, 1906.

The United States of America (War Department) to J. N. Whittaker:
1904 to 1906: To services from June, 1904, to June, 1906, examining and perfecting titles of Atlantic Coast Line Railroad and Norfolk and Western Railway

to lands in the city of Petersburg and county of Chesterfield, Va., to be used in connection with the diversion of Appomattox River at those places, \$1,000.

Approved:

L. L. LEWIS, *United States Attorney.*

JUNE 27, 1906.

DEPARTMENT OF JUSTICE,
Washington, August 1, 1906.

SIR: The inclosed papers, in regard to the bill of J. N. Whittaker, amounting to \$1,000, for services rendered in connection with the examination of the title to lands purchased by the Government for use in the diversion of the Appomattox River, were received, by reference from the Chief of Engineers, United States Army, under date of the 14th ultimo.

In reply to the inquiries contained in the "second indorsement," you are advised that the said bill is not payable from any appropriation under the control of this department.

This department has no information as to the reasonableness of the bill, but the United States attorney for the eastern district of Virginia, to whom the matter was referred, states that, in his opinion, the amount charged is a "reasonable compensation for the services rendered."

Respectfully,

CHARLES W. RUSSELL,
Acting Attorney General.

The SECRETARY OF WAR.

Appropriation for improving Appomattox River, Virginia, at Petersburg.

The United States to J. N. Whittaker, Richmond, Va., Dr.:

June 27, 1906: For services rendered examining titles of Atlantic Coast Line Railroad and Norfolk and Western Railway to land in the city of Petersburg and county of Chesterfield, Va., and furnishing abstracts of same. Application, procurement of land for diverting river, \$1,000.

I certify that the above account is correct and just; that the services were rendered as stated and were necessary for the benefit of the public service.

E. EVELETH WINSLOW,
Major, Corps of Engineers.

Received at Norfolk, Va., this — day of —, 1906, from Maj. E. Eveleth Winslow, Corps of Engineers, the sum of \$1,000 in full payment of the above account, which I certify to be correct.

TREASURY DEPARTMENT,
Washington, August 23, 1906.

SIR: For use in rendering a decision as to your authority to pay J. N. Whittaker \$1,000, the amount of his claim for services in examining and perfecting titles of Atlantic Coast Line Railroad and Norfolk and Western Railway to lands in the city of Petersburg and county of Chesterfield, Va., and furnishing abstracts of same, please furnish this office the following information:

First. By whose authority was Mr. Whittaker employed?

Second. Please furnish a copy of his employment; and if there was no writing stating the terms and conditions of his employment and defining his duties, a written statement of them should be furnished by L. L. Lewis, United States attorney, by whom it is stated he was employed, and also by what authority he claimed to act.

Third. When was your department first advised of the employment of Mr. Whittaker?

Fourth. Were the condemnation proceedings and suits in chancery, spoken of as necessary to perfect the titles by Mr. Whittaker in his letter addressed to Hon. L. L. Lewis, United States attorney, dated June 27, 1906, conducted by Mr. Whittaker as attorney for the United States?

Fifth. If not, by whom, for whom, and in whose name were they prosecuted?
Respectfully,

L. P. MITCHELL, *Acting Comptroller.*

The SECRETARY OF WAR.

[Second indorsement.]

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF ENGINEERS,
Washington, August 30, 1906.

Respectfully referred to Maj. E. Eveleth Winslow, Corps of Engineers, for compliance with the within request of the Acting Comptroller of the Treasury. By order of the Acting Chief of Engineers:

CHARLES W. KUTZ,
Captain, Corps of Engineers.

[Third indorsement.]

ENGINEER OFFICE, UNITED STATES ARMY,
Norfolk, Va., September 7, 1906.

Respectfully returned to the Chief of Engineers, U. S. Army, inclosing a letter, and its inclosure, from Mr. J. N. Whittaker, which, it is believed, gives the information desired by the comptroller.

E. EVELETH WINSLOW,
Major, Corps of Engineers, U. S. Army.

[Fourth indorsement.]

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF ENGINEERS,
Washington, September 13, 1906.

Respectfully submitted to the Comptroller of the Treasury, inviting attention to the preceding indorsement and to the accompanying papers.

By authority of the Secretary of War.

A. MACKENZIE,
Brig. Gen., Chief of Engineers, U. S. Army.

OFFICE UNITED STATES DISTRICT JUDGE,
EASTERN DISTRICT OF VIRGINIA,
Richmond, Va., September 3, 1906.

DEAR MAJOR: Your letter of September 1 received, and I hasten to reply. I will answer the questions of the comptroller in the order asked.

First. By whose authority was Mr. Whittaker employed?

On the 24th of July the Attorney General wrote Judge Lewis, United States attorney, on the same matter, and asking this same question. Attached hereto is a carbon copy of Judge Lewis's reply to the Attorney General, which fully answers this question. You will notice that Judge Lewis states that he was instructed by the Department of Justice to render to you necessary assistance in acquiring title to the lands in question; that on account of other pressing official duties he asked me to see you and act under your instructions, which I did, and have been in correspondence and conference with your office during the entire period of time.

The above answer also answers queries two and three of the comptroller.

Fourth. Were the condemnation proceedings and suits in chancery spoken of, as necessary to perfect the titles by Mr. Whittaker in his letter addressed to Hon. L. L. Lewis, United States attorney, dated June 27, 1906, conducted by Mr. Whittaker as attorney for the United States?

In answer to this I beg to say that upon my examination of the title of the Atlantic Coast Line Railway Company I found that as to some portions of the land the legal title had been outstanding for upward of fifty years; that notwithstanding this, new mortgages had been made from time to time during this period, and that when it was found necessary to make the deed to the United States, this legal title being so outstanding, chiefly in trustees who had been dead for many years, I required that the railroad company take the necessary steps to have the old trustees replaced by new trustees. To do this the chan-

cery suits referred to in my letter were brought by the attorney for the Atlantic Coast Line Railroad, as the benefit accrued to the railroad, and I had to watch the proceedings all through to see that eventually the outstanding legal title was so merged in the present trustees that they could convey same to the United States. In these suits I represented the interests of the United States entirely. I did not bring the suits, but had them brought by the railroad company in order to perfect their title and clear the clouds from their title. Until these matters were brought to the attention of the railroad company by me they were unknown, I believe, by the company or its counsel. Until the clouds were removed the present trustees and the railroad company itself could not convey the land to the Government needed for the diversion of the Appomattox River.

As to the condemnation proceedings to acquire land from the Norfolk and Western Railway Company, when I examined the title of the company I found several blanket mortgages covering the entire line of railway of the company; and counsel for the railroad company having advised me that under the provisions of their mortgage deeds there was no way of getting the trustees to join in a conveyance to the Government, and condemnation proceedings would have to be instituted, the counsel for the Norfolk and Western Railway and counsel for the city of Petersburg (it being deemed best to condemn the land in the name of the city of Petersburg rather than in the name of the United States) brought such proceedings after the papers had been submitted to me for approval on behalf of the United States; and I watched the proceedings in court and saw that all proper and necessary action was taken to condemn said land, and finally had the decree recorded placing title in the city of Petersburg and later the deed from the city of Petersburg to the United States.

In both these railroad transactions I represented only the United States to see that their interests were protected and that they got good and legal title to the lands acquired.

I think the above answers also query 5 of the comptroller.

Very respectfully,

J. N. WHITTAKER.

Maj. E. E. WINSLOW, U. S. Army,
Engineer Office, Norfolk, Va.

OFFICE OF UNITED STATES ATTORNEY,
EASTERN DISTRICT OF VIRGINIA,
Richmond, Va., July 28, 1906.

SIR: I have to acknowledge receipt of your letter of the 24th instant (J. J. G., 28968) relative to the bill of J. N. Whittaker for services rendered from June, 1904, to June, 1906, in examining titles to lands purchased by the Government for the purpose of diverting the Appomattox River, and in reply thereto I have to say that by department letter, dated March 7, 1904 (A. J. B., R. T. S., F. 28968), I was instructed to cooperate with Capt. E. E. Winslow, Corps of Engineers, U. S. Army, and to render him necessary assistance in acquiring title to the lands in question; that at the time of the receipt of this letter the then assistant United States attorney could not do the work; that I was very much engaged on urgent official business, particularly in the chancery court of this city in connection with the cruiser *Galveston* and other vessels in which the Government had an interest, in the litigation in that court with the William R. Trigg Company, the builders; that at my request Mr. Whittaker, an experienced title examiner, who had formerly been connected with this office, kindly agreed to make the necessary examination of titles, and that from time to time he submitted abstracts of title, prepared by him in the matter, to me for my approval; that Mr. Whittaker devoted a great deal of time to this work, and I herewith transmit carbon copy of a letter addressed to me by him on the completion of the work in June last, which sets out in detail the amount of work done by him in securing satisfactory titles.

When the examination was completed and the last transfer of title made to the United States it was suggested to Mr. Whittaker by the engineer office in Norfolk, Va., as he informed me, that he render a bill for his services in this matter after first procuring my approval, which he did accordingly, and which is in the bill in question.

I beg leave to say further that I did not assume to employ Mr. Whittaker under authority from the Department of Justice or from any other source, for I had no such authority; and that I consider the amount charged (\$1,000) to be a reasonable compensation for the services rendered.

Very respectfully,

L. L. LEWIS, *United States Attorney.*

The ATTORNEY GENERAL, *Washington, D. C.*

TREASURY DEPARTMENT,
Washington, September 27, 1906.

SIR: By your authority of August 21, 1906, I have received from the Chief of Engineers a request for a decision of the question whether you are authorized to pay from the appropriation "Improving the Appomattox River, Virginia," the claim of J. N. Whittaker of \$1,000 "for services rendered in examining titles of Atlantic Coast Line Railroad and Norfolk and Western Railroad to lands in the city of Petersburg and county of Chesterfield, Va., and furnishing abstracts of same."

It seems that the War Department had in contemplation the improvement of the Appomattox River and it was deemed necessary to procure titles to certain lands owned by the companies above mentioned, and upon application to the Department of Justice the United States district attorney for the western district of Virginia was instructed to render assistance and to cooperate with Capt. E. E. Winslow, Corps of Engineers, in acquiring title to the lands in question.

Acting upon that instruction from the Department of Justice, L. L. Lewis, United States district attorney, being busily engaged upon other matters, and the assistant United States attorney also being busily engaged, employed Mr. Whittaker to do the work without any specific arrangement or agreement as to compensation.

The work appears to have been done, and there seems to be no question that it was worth the \$1,000 charged by Mr. Whittaker.

The facts in the case show that the district attorney was not authorized to engage the services of Mr. Whittaker, either by the Department of Justice or the War Department, and under the circumstances it is not seen how his act binds the United States to pay for the services. The services in question, so far as the United States is concerned, were purely voluntary, and therefore no implied contract to pay for them arose by reason of their performance, and unless it can be held that the engineer officer in charge of the work by accepting the results of Mr. Whittaker's labor thereby bound the Government to pay for it, you would not be authorized to pay the claim.

The claim in question is for services, and the United States has no option as to acceptance, and because of that fact no obligation could be implied by the acceptance to pay for said services.

Therefore, under the facts as stated in this case, you are not authorized to pay the claim presented. (7 Comp. Dec., 729; 8 id., 157; 32 MS. Comp. Dec., 605.)

The view above expressed renders the question as to what appropriation is applicable in making the payment immaterial.

Respectfully,

L. P. MITCHELL,
Assistant Comptroller.

The SECRETARY OF WAR.

[First indorsement.]

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF ENGINEERS.
Washington, October 2, 1906.

Respectfully referred to Maj. E. Eveleth Winslow, Corps of Engineers, for his information.

By command of Brigadier General Mackenzie.

W. J. BARDEN,
Captain, Corps of Engineers.

[Second indorsement.]

ENGINEER OFFICE, U. S. ARMY,
Norfolk, Va., October 8, 1906.

Respectfully returned to the Chief of Engineers, U. S. Army, the necessary record having been made.

E. EVELETH WINSLOW,
Major, Corps of Engineers, U. S. Army.

[H. R. 23260, Sixty-second Congress, second session.]

A BILL For the relief of W. H. Carter.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury of the United States not otherwise appropriated, to W. H. Carter, of Wilkes County, North Carolina, the sum of twenty-seven dollars, in full compensation for services and expenses incurred as brandy gauger during December, eighteen hundred and ninety-seven.

Mr. Pou, from the Committee on Claims, submitted the following report (to accompany H. R. 23260) :

The Committee on Claims, to whom was referred the bill (H. R. 23260) for the relief of W. H. Carter, having considered the same, report thereon with a recommendation that it do pass.

Letter from the Commissioner of Internal Revenue hereto attached, and made a part of this report, warrants your committee in reporting this bill favorably.

TREASURY DEPARTMENT,
OFFICE OF COMMISSIONER OF INTERNAL REVENUE,
Washington, April 9, 1912.

Hon. R. L. DOUGHTON, M. C.,
House of Representatives, Washington, D. C.

SIR: I have the honor to report as shown by the records of this office, on the claim of W. H. Carter for compensation as gauger and expenses incident to service as such in the fifth district of North Carolina in December, 1897.

The letter, dated April 4, 1912, of Mr. Carter, together with what purports to be a copy of the former officer's bill, was left at this office by your secretary, Mr. Colvard, on the 6th instant.

Mr. Carter's claim is for \$27—\$21 for services as gauger for seven days, at \$3 per day, on December 10, 11, 13, 14, 16, 17, and 20, and expenses amounting to \$6.

The records of this office show that claim was made by Mr. Carter and disallowed in the amount of \$27—\$18 being for services as gauger on December 10, 13, 14, 16, 17, and 20, 1897, and \$9 for expenses. The account, so far as these items are concerned, was disallowed because the officer had not been recommended by the collector or assigned by the commissioner as a gauger, and the collector's failure to recommend such assignment was because of the failure of the officer to give a bond, as required by the act of August 28, 1894. Mr. Carter afterwards gave bond, and the collector recommended his assignment from that date, namely, December 29, 1897, and he was paid from and after that time. The records of this office further show that December 9, 1897, was the last day in December the officer was assigned until December 29.

It would thus appear that Mr. Carter is equitably entitled to \$27 on account of services rendered and expenses incurred in December, 1897, but there is no provision of law under which he can be paid, as the balance of the appropriation from which the same might have been paid has been long since covered into the Treasury.

Mr. Carter's letter addressed to you and the memorandum accompanying same are herewith inclosed.

Respectfully,

R. E. CABELL,
Commissioner.

62D CONGRESS,
2d Session.

HOUSE OF REPRESENTATIVES. {

REPORT
No. 674.

PENSIONS AND INCREASE OF PENSIONS TO CERTAIN SOLDIERS
AND SAILORS OF THE CIVIL WAR AND CERTAIN WIDOWS AND
DEPENDENT CHILDREN OF SUCH SOLDIERS AND SAILORS.

MAY 9, 1912.—Committed to the Committee of the Whole House and ordered to be
printed.

Mr. SHERWOOD, from the Committee on Invalid Pensions, submitted
the following

REPORT.

[To accompany S. 6084.]

The Committee on Invalid Pensions, to whom was referred the bill (S. 6084) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of such soldiers and sailors, have examined the same, and adopt the Senate report thereon, and recommend that the bill do pass, with the following amendment:

Amend by striking out, on page 14, lines 17 to 20, inclusive, "Mary J. Chick, and pay her a pension at the rate of \$12 per month." The beneficiary is dead.

○

PENSIONS AND INCREASE OF PENSIONS TO CERTAIN SOLDIERS
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○

Private Calendar No. 85.

62D CONGRESS,
2d Session.

HOUSE OF REPRESENTATIVES.

REPORT
No. 677.

PENSIONS AND INCREASE OF PENSIONS FOR CERTAIN SOLDIERS AND SAILORS OF THE REGULAR ARMY AND NAVY, ETC.

MAY 9, 1912.—Committed to the Committee of the Whole House and ordered to be printed.

Mr. REES, from the Committee on Pensions, submitted the following

REPORT.

[To accompany H. R. 24322.]

The Committee on Pensions, to whom was referred sundry bills granting pensions and increase of pensions for certain soldiers and sailors of the Regular Army and Navy, etc., submit the following report:

This bill is a substitute for the following House bills referred to said committee:

H. R. 3674. Anna Meilstrup.
4301. Margaret E. Fugatt.
4583. John H. Brown.
7072. Sherman A. Cole.
8698. John A. Shannon.
9721. Charles B. Swinney.
11280. Theodore W. Swan.
11342. George C. Rimes.
12436. William Ramsey.
13813. William H. Mercer.
13852. John S. Scheerer.

H. R. 14649. Wesley J. Banks.
16323. Ronald B. Veach.
16799. Clinton L. Coleman.
18519. William M. Hanks.
18814. John G. Morgan.
19713. Lawrence Z. Hoffman.
20634. Rupert Haas.
20999. Charles Myer.
22228. Jacob Mandelbaum.
23692. Elizabeth S. Tinsley.

H. R. 3674. Anna J. Meilstrup, of Grayling, Mich., is the mother of Elmer M. Meilstrup, who served as an ordinary seaman in the United States Navy from September 17, 1897, to February 15, 1898, when he was killed by the explosion, or destruction, of the U. S. S. *Maine*, on which he was employed when that vessel was sunk in Habana Harbor, Cuba.

The petitioner applied for pension October 18, 1909, as the dependent mother of the sailor, he leaving neither widow nor minor child surviving at his death.

The claim was specially examined in August, 1910. The evidence thus procured showed that the claimant's husband died March 30, 1909, leaving her no property, but leaving her insurance money to the amount of \$6,156.59, and some debts. It showed that she also owned 280 acres of unimproved land.

With the insurance money the claimant paid some debts of her deceased husband, bought a dwelling house, in which she resides, for \$1,700, paid out considerable money on improvements on her house, paid doctor's bills and funeral expenses, and used some money for living expenses. She then, on August 13, 1910, had left in bank \$786.15.

The evidence indicated that her dwelling house, if rented, would rent for from \$12 to \$18 per month. Her taxes amount to \$33.36 a year and her fire insurance to \$2.60 a year.

The timber of the 280 acre tract of land was wholly destroyed by a forest fire in 1908, and the land is unproductive now and is a source of expense. Its value is estimated at from \$6 to \$13, per acre, or from \$1,680 to \$3,640, as a whole. It was assessed at a valuation of \$1,650, in 1909, which is supposed to be about 75 per cent of its true cash value.

The value of the dwelling house, a separate property from the 280 acre tract of wild land, was assessed at \$700.

Upon the foregoing showing the Pension Bureau rejected the claim September 14, 1910, on the ground that the claimant was not dependent under the law at the date the application was filed.

No evidence has been filed with the bill which has been executed since the claim was specially examined.

The petitioner has filed her own affidavit in which she states that she has no adequate means of support other than the ordinary proceeds of her own manual labor, and that she is dependent upon the board from two of her children.

The petitioner is 51 years of age. Her family consists of a daughter 26 years of age, a son 22 years old, a son 20 years old, all self-sustaining; and a daughter 16 years of age, and a son 14 years old, who were attending school when the claim was specially examined in August, 1910.

Upon the foregoing history of this case your committee respectfully recommend the allowance of pension at the rate of \$12 per month.

H. R. 4301. Margaret E. Fugatt, of Sulphur Rock, Ark., is pensioned under the general law, the acts of January 29, 1887, and April 19, 1908, at the rate of \$12 per month, as the widow of Royal S. Fugatt, who served during the War with Mexico as a private in Company G, First Regiment Missouri Mounted Volunteer Infantry, from June 17, 1846, to June 21, 1847.

The soldier was pensioned, and died April 28, 1900, the widow's pension commenced the day after his death at \$8 per month, and was increased to \$12 per month from April 19, 1908, under the act of that date.

The pensioner, according to evidence in the pension claim, was born May 1, 1826, and was married to the soldier September 15, 1847. She states that she has no property or income aside from her pension on which she is wholly dependent. Witnesses corroborate her statement, and two physicians testify that the pensioner is totally blind, and is unable to walk by reason of a fractured femur.

In accordance with precedent, and in view of the pensioner's great age and severe physical affliction, your committee respectfully recommend the allowance of pension at the rate of \$20 per month in lieu of that she is now receiving.

H. R. 4583. John H. Brown, of Water Valley, Ark., enlisted in the United States Navy at St. Louis, Mo., as a coal passer June 11, 1907. He served on the U. S. S. *Franklin* from June 13 to 22, 1907, on the *Worden* to September 15, 1907, and on the *Constellation* to December 27, 1907, when discharged by reason of physical disability.

The claimant applied for pension February 17, 1908, stating that about August 1, 1907, on the *Worden* at Newport, R. I., he incurred enlargement of left thigh and leg. In a later statement he said that after being discharged from hospital his legs were weak and swollen from overexertion in doing heavy lifting at work at training station at Newport, R. I. The name of his disease as told him by Dr. T. Z. Johnson, of Holmer, Ark., being varicose veins.

Two lay witnesses testified that the claimant had been one-half disabled since January 4, 1908, by varicose veins of left leg and thigh. The only other evidence in the case when action was taken is contained in the naval record, as follows:

Admitted for treatment on the *Worden* August 22, 1907, for neurasthenia and sent thence to the naval hospital at Newport, R. I., September 15, 1907, for treatment for the same cause. He was discharged to duty October 10, 1907. He was admitted for treatment for phlebitis on the *Constellation* December 2, 1907, origin not in line of duty, following typhoid fever after enlistment, and discharged the service December 27, 1907.

The record shows: "Admitted, 2.30 p. m. September 15, 1907, neurasthenia. Origin not incident to service, according to hospital ticket. The man appears to be a healthy man and in fairly good flesh. Physical examination reveals nothing. His mind appears rational, although he seems to think himself a sick man. His facial expression is that of a neurasthenic or hypochondriac. He complains of pains in the legs; but salicylates do not appear to benefit, and they appear perfectly normal. He says he had 'dropsy' about seven years since and his legs and feet were swollen. His chest and heart are negative. * * * September 20, no improvement. * * * September 27, no change. * * * October 10, patient is in good general condition and is suffering from a chronic interstitial nephritis which has existed prior to enlistment. Further treatment will be of no benefit."

A medical survey made December 9, 1907, found him unfit for service by reason of inflammation of veins—left leg and thigh—and recommended discharge: "Origin: Not in line of duty. According to his accepted statement, it followed typhoid fever five years ago. * * * The leg and thigh pain and are weak, so he is unable to perform his duties; is unable to walk fast or run. He also has chronic interstitial nephritis not in line of duty * * *."

Upon the foregoing evidence the claim was rejected May 8, 1909, on the ground that the alleged enlargement of left leg and thigh existed prior to enlistment as shown by the Navy Department records.

Ed. Phelps testified September 11, 1909, that he had been acquainted with the claimant for 20 years; that claimant worked for him 5 years ago; he did hard work, and if he had any enlargement of the leg or any limbs he did not know it.

Dr. G. W. Alard, June 10, 1909, stated that he treated the claimant about October, 1903, for malarial fever, and if anything else was wrong with him then he failed to discover it.

A layman testified, and signed by mark, August 11, 1909, that of his own personal knowledge the claimant was physically sound when he enlisted in the Navy, and John T. Parker, M. D., stated, the same date, that he had known the claimant for about 10 years before enlistment and knows he was free from all enlargements of the left leg and thigh.

Medical evidence filed with a bill in the Sixty-first Congress shows the existence of varicose veins of left leg. Other evidence shows the petitioner to be a poor man.

In an affidavit filed with the bill the petitioner states that he has personal property to the value of \$140, and no real estate, and that his annual income from all sources is not over \$75.

On the foregoing statement of facts your committee think it shown that the petitioner is disabled by reason of his naval service, and they respectfully recommend the allowance of pension at the rate of \$15 per month.

H. R. 7072. Sherman A. Cole, of Sandusky, Ohio, was a private in Company D, Twentieth Regiment United States Infantry, from March 7, 1891, to May 14, 1893, when he was honorably discharged under section 4, act of Congress of June 16, 1890, which provides for the purchase of discharge by the soldier.

He applied for pension November 25, 1908, on account of dysentery contracted in August, 1892, and injury of feet incurred in September, 1892.

The claim was specially examined in 1909 and rejected December 13 of that year, on the ground that the evidence did not show the existence of dysentery at discharge or continuance thereafter, and for injury (or disease) of feet, because of no record, medical, or other satisfactory evidence of origin in service.

On appeal that action was affirmed by the Assistant Secretary of the Interior January 19, 1910, and in September, 1910, reopening was denied.

The records of the War Department show the soldier 26 $\frac{7}{8}$ years of age at enlistment, and that he was treated for acute diarrhea from August 30 to September 7, 1891; for acute pharyngitis with simple fever and constipation, from June 25 to 29, 1892.

He was examined by a board of surgeons at Sandusky, Ohio, January 27, 1909. Height, 5 feet 10 inches; weight, 143 pounds. They described disease of bowels and rated it at 8/18. They described a "condition of flat foot in both feet, the arch being completely broken down," and "three large callouses across ball of right foot and two on left foot. These are very hard and scaly and sensitive to pressure. Flat foot and callouses are only evidences of injury. The gait is halty and shuffling. Rate, 6/18."

The soldier claimed to have contracted the foot trouble by a practice march during the fall of 1892.

One comrade of another company said he was nurse in hospital and that the soldier was in the hospital for stomach trouble, or diarrhea, "as near as I can remember"; had seen the soldier twice since service, when he told witness he had something the matter with his feet, and that witness had no knowledge of such disease in service.

Another comrade said he remembered the soldier complained of poor health in service, was in hospital, but he did not know for what cause; recalled that he complained of some trouble with his feet after a practice march in the fall of 1892, but he did not know the nature of the trouble, and did not remember that he was lame.

Several laymen testified that the soldier has complained of some trouble with his feet and of some bowel trouble ever since his service, but they did not know the exact nature of either ailment. Some also said he walked lame at times.

A druggist stated that he had sold the claimant medicine for his stomach and bowels and for his feet during the 12 or 15 years preceding November, 1909.

The claimant's wife, to whom he was married in July, 1893, testified that he had had trouble with his feet, calloused places, and had suffered a great deal with them ever since their marriage. Also that he had had frequent attacks every year with a bowel trouble, which prevented him from working at times.

Dr. S. L. Clark, aged 82 years, and claimant's stepfather, stated that he had lived in same town with claimant during the first two years after service, and that he had treated and prescribed for him from time to time ever since discharge for a bowel trouble or chronic diarrhea and an affection of the feet; that the foot trouble is a calloused condition of the soles, which are sore and painful, and it was his impression that the arches are broken down, and that the trouble seemed to affect the ankle joints. He has no record and testified from memory.

That claimant's mother also testified to the existence of the foot and bowel trouble from discharge to November, 1909.

In an affidavit filed with the bill the petitioner states that he is partly disabled by dysentery and disease or injury of feet; that he owns a \$500 interest in real estate, which yields an annual income of \$30, and that his income from all sources is about \$375.

One lay witness corroborates his statement, and a physician says he has known the petitioner several years; examined him March 16, 1912; that he has suffered much with chronic diarrhea, at times severely; that he has large calloused patches on the bottoms of his feet, which cause much pain and soreness and interferes with his work, and that he thinks him one-half disabled.

Your committee think the history of this case shows the petitioner disabled as alleged. They respectfully recommend the allowance of pension at the rate of \$12 per month.

H. R. 8698. John A. Shannon, of Cullman, Ala., was during the War with Spain a private in Companies I and B, Second Regiment Alabama Volunteer Infantry, from June 10 to August 26, 1898, when he was discharged on account of disability.

He applied for pension October 17, 1898, alleging at Miami, Fla., about July 20, 1898, he incurred hemorrhages of the lungs caused by hard drilling.

That claim was rejected September 15, 1899, on the ground that the alleged disease of lungs existed before enlistment, as shown by the records of the War Department.

May 31, 1910, he again applied, stating that near Mobile, Ala., in June, 1898, drilling at double-quick time in heavy marching order he became overheated and had to leave the drill ground; that shortly afterwards the command moved to Miami, Fla., when they were forced into a skirmish drill, forced into a bog up to the knees and waist, following which exposure he had hemorrhages from the lungs, pleurisy, rheumatism, and varicocele.

June 23, 1910, he alleged that he had suffered ever since service with nervousness, affection of eyes and head, and catarrh.

January 26, 1911, he alleged mental impairment as a result of sun-stroke, injury to left testicle by being struck with a gun at drill, and rheumatism.

The claim for disease of lungs was not reopened, and on August 10, 1910, the claim for rheumatism, catarrh, varicocele of both sides,

nervousness, overheat, and affection of head and eyes was rejected because of no record and no medical evidence of treatment in service and no satisfactory evidence of origin therein.

Reopening was denied in September, 1910.

November 11, 1910, the Assistant Secretary of the Interior affirmed the action of the Pension Bureau. Reopening was denied in November, 1910. December 12, 1910, and January 28, 1911, the Assistant Secretary of the Interior overruled motions for reconsideration of his former decision, and in March and April, 1911, reopening was denied.

The War Department records show the soldier 26 years of age at enlistment. The medical records show treatment June 23 to 25, 1898, for acute dysentery; August 21 to 26, 1898, for malarial fever, and the company muster-out roll dated October 31, 1898, show him sick July 20 and 21 and 26 to 28, 1898, in line of duty.

Charles Q. Beech, captain of claimant's company (I), recommended the soldier for discharge on August 19, 1898, on account of "tuberculosis of both lungs," contracted "prior to enlistment," stating "cause unknown; gives tuberculosis family history. Has been disabled by fever and hemorrhages from doing military duty," and that the "above facts are known to me."

S. S. Pugh, surgeon of the regiment, certified that the soldier had "tuberculosis of both lungs. Hemorrhages frequent from apex of right lungs," and that the "disability existed at time of enlistment and was not incurred in line of duty."

The claimant was not medically examined during the pendency of his claim in the Pension Bureau, but at the instance of this committee he was examined by a board of surgeons at Cullman, Ala., February 7, 1912. They reported, age, 40 years; height, 5 feet 7 inches; weight, 177 pounds, and said:

The chest is of normal shape and measures at rest $39\frac{1}{2}$, at full inspiration $40\frac{1}{2}$, and at full expiration $38\frac{1}{2}$ inches. The percussion sound is somewhat flat; the vesicular murmur is noticed in all parts of both lungs. We discover no disease of lungs. We believe the somewhat flat percussion sound is caused by the participation of the lung tissue in the general adiposis of the organs.

Of sunstroke they said:

There is nervous irritability and a noticeable degree of aphasia * * * and now affects his speech increasingly. We do not notice mental impairment.

There is rheumatism in the left hip joint and in the left knee joint—

causing limitation of motion one-third. Other joints normal.

There is no varicocele, but a left inguinal hernia the size of a goose egg which does not pass through the external ring, but requires constant use of truss.

There is no disease of eyes except debility and myopia which corrected with proper glasses shows visual power of 20/30 of right eye and 20/40 of left eye.

They found slight irregularity of heart, but no disability therefrom, but recommended a rating of \$12 for left inguinal hernia, rheumatism, and results of sunstroke.

J. M. Skelton, first sergeant of Company I, testified July 11, 1910, that the soldier fell out of ranks in skirmish drill, had hemorrhages, appeared to be in bad shape, and was limping badly when he left the service, and complained of his feet and legs.

Dr. F. B. Burnam testified June 30, 1910, that soldier appeared to be healthy before service; that he treated him in the winter of 1898

for varicocele and rheumatism; about 1901 for varicocele and rheumatism; examined him June 29, 1910, and found chronic rheumatism.

May 1, 1899, he stated that he prescribed for claimant August 29, 1898, for hemorrhage of lungs, and that he had a cough.

July 22, 1910, he made an affidavit similar to the one of June 30, 1910, and added that he also treated him in the spring of 1904 for lung trouble.

W. W. Brandon, major, testified June 10, 1910, that the soldier became overheated on a march; that he afterwards became exhausted and possibly had a hemorrhage and he positively remembers the soldier was sick and was discharged for disability.

Luther Hays, corporal, testified June 15, 1910, that the soldier had to fall out of ranks on a march near Mobile, Ala., and again near Miami, Fla.; that he was probably overheated and had slight hemorrhage from the lungs, and was not able to drill. Also, that he supposed the soldier contracted rheumatism, and that he gave him treatment for rheumatism in May, 1909, and June, 1910.

Charles E. Herrin, M. D., private Company I, testified June 15, 1910, that the soldier was overheated and had a hemorrhage at Miami, Fla.

July 22, 1910, this witness added that the soldier complained of pains in his feet and legs and was in bad shape.

John Fehler, comrade, testified July 22, 1910, that the soldier spit blood and complained of his lungs and of pain in legs and hips.

M. L. Johnson, M. D., testified June 9, 1910, that the soldier was in good physical condition before enlistment: that he examined him soon after discharge and found some evidence of hemorrhages, chronic pleurisy, nasal catarrh, rheumatism, and varicocele and treated him frequently for rheumatism and catarrh.

July 17, 1910, this witness said that after discharge and return home he found soldier suffering from "pleuropneumonia and other complications; found some hemorrhagic traces, pleura much inflamed." According to his recollection this was in August or September, 1898. Not long afterwards he found rheumatism, nasal catarrh, pain in left spermatic and testicle, which finally developed into varicocele. Had since treated him three or four times for pleurisy and in the spring of 1900 for rheumatism; again in 1902 and 1905; has no records.

June 27, 1910, he made a similar statement.

February 16, 1911, this witness testified that the soldier on his return from service had pleuropneumonia on left side, was suffering with his feet and legs, inflammatory rheumatism, also a bruise on left testicle, which later developed into varicocele, and that "I notice in his discharge written tuberculosis. His physical appearance did not indicate tuberculosis then nor to this day. In my judgment his trouble arose from being overheated and almost complete exhaustion in a malarial district."

Dr. W. M. Pierce testified July 15, 1910, that he treated claimant in 1905 or 1906 for an attack of pleurisy, rheumatism, and nervous headache. Found he had catarrh of nose or throat. Also had varicocele. Treated him in spring of 1907 for rheumatism and in winter of 1909 for rheumatism and slight attack of pleuropneumonia.

Walter King, comrade, testified August 4, 1910, that soldier fell out of ranks on drill, was carried to his tent; witness saw blood said to have come from lungs, and said he was suffering from a punch received on the testicles by the butt of a gun. Also heard him complain of his feet and legs and could hardly walk.

George Bauer, comrade, testified August 3, 1910, that the soldier was overheated on skirmish drill; suffered from a blow from a gun on his privates; complained of his lungs, legs, and hips, and spat up blood.

S. S. Pugh, regimental surgeon, said August 6, 1910, that the soldier and two others suffered from overhear or sunstroke 3 miles west of Miami, Fla., and all were under treatment; that the prostration caused epilepsy in one case, insanity in another, but could not say what effect it had on the claimant.

The claimant's wife testified October 24, 1910, that she saw him soon after discharge and he looked thin and had an awful cough; later improved and got able to work in a barber shop; that they were married in June, 1902, and she then found he was suffering with his lungs and rheumatism and had been treated by different doctors since; that he also has severe spells with his head and back of neck.

C. C. Connally testified October 22, 1910, that claimant came to his house from service and remained till January, 1900, and was then, he thought, in a hopeless condition, but later improved; was treated by Drs. Johnson and Burnum for his lungs and rheumatism; also remembers claimant was treated for those diseases and severe attacks of disease in head and back of neck up to December, 1908, when witness moved away.

J. E. Gober, comrade, testified October 21, 1910, that soldier was overheated in service; that he saw him spit up blood, and that he complained of his lungs, feet, and legs.

M. R. Larkin, comrade, testified February 11, 1911, that the soldier sustained a painful injury in a skirmish drill, being accidentally struck by the butt of a gun; that he was overheated, was sick in quarters; that his testacles were badly swollen after the injury; and that he had had proper medical attention, etc. "The rheumatism that he had contracted might not have become permanent."

E. R. Burns, M. D., testified March 28, 1911, that he examined claimant January 5, 1911, some kidney trouble, rheumatism, varicocele.

R. H. Baird testified March 28, 1911, that claimant has chronic rheumatism and varicocele, which totally disables him for manual labor.

Witnesses testify in affidavits filed with the bill that the claimant was in good health prior to enlistment and was free from tuberculosis, and that they do not believe from his appearance that he has ever had that disease. One of the witnesses is a physician, who states that he has known the claimant since 1890. He says he did not treat claimant on his return from the Army, but has treated him since for rheumatism; that he was in perfect health on entering the Army and returned about three months later in a very emaciated condition.

One witness states that soldier was overcome by heat, was carried to his tent, and remained there till discharged.

The petitioner states that he has suffered with rheumatism and other alleged disabilities ever since he left the Army.

In an affidavit executed April 27, 1912, he states that his monthly income averages about \$40 from his manual labor; that he owns no property at all; that his wife owns a lot 50 by 120 feet with a small house on it and on which he has had to borrow money which he has not been able to pay. Also that out of his earnings of \$40 a month about \$15 or \$16 is spent for rents, lights, and water.

From the history of this case, as disclosed in the foregoing, your committee think the petitioner is disabled by disease incurred in service, as alleged, and they respectfully recommend the allowance of pension at the rate of \$12 per month.

H. R. 9721. Charles B. Swinney, of Lupas, Mo., served during the War with Spain as a private in Company B, Sixth Regiment Missouri Volunteer Infantry, from July 11, 1898, to March 30, 1899, when discharged by direction of the Secretary of War.

The claimant applied for pension on July 21, 1899, alleging that about August 30, 1898, at Jacksonville, Fla., he contracted typhoid fever, resulting in weakness and general debility and nervous prostration.

The War Department records show the soldier treated in hospitals for typhoid fever from September 15, 1898, to January 27, 1899, when he was ordered home to await discharge.

The record of physical examination at enlistment shows:

Previous sickness. Rheumatism two years past. Remarks: Heart complications followed rheumatism, but action good now.

The claimant was examined by a board of surgeons February 3, 1904. The board said:

We find no direct evidence of results of typhoid fever. The nervous condition complained of is present, but we believe it to be a result of disease of lungs. Typhoid fever has probably favored the conditions present, but we can not say that it is a cause.

They described some lung trouble and said the soldier's mother died of tuberculosis, two sisters of pneumonia, and the only living brother is suffering from spinal curvature. They rated lung disease \$9 and said the claimant has incipient tuberculosis. They also found feebleness of force in the heart sounds.

Without other evidence than the record, the claim was rejected July 1, 1904, on the ground that the claimant was unable to prove that his alleged nervous prostration and general weakness originated in service or was due to service—that the evidence tended to show the present physical condition due to causes having their inception prior to the soldier's enlistment. Testimony has since been filed and re-opening has been denied four times because the evidence did not meet the requirements of the Pension Bureau.

Eight or nine lay witnesses, neighbors and persons who worked with the claimant, have testified that ever since he returned home from the Army he has had nervous trouble, has been prostrated by it, and sometimes for weeks at a time unable to work. One physician, in 1909, testified that he knew the claimant several years before his enlistment and that he was then sound, in the witness's opinion. He saw him in April, 1899, and he then had not regained his strength since having had typhoid fever in the Army.

Another physician testified, in February, 1909, that he treated the claimant November 19, 1908, for nervous prostration, which followed as a sequel of typhoid fever which the soldier said he had in the Army.

Filed with the bill is a joint affidavit by two neighbors who say they have known the petitioner ever since he was a small boy. He and the witnesses are farmers. They say he was never seriously sick before service, was a strong and healthy person, and since his Army service has been in delicate health and sickly.

The foregoing report was prepared for consideration in connection with a bill in the Sixty-first Congress on which no action was taken.

In an affidavit accompanying the present bill the petitioner states that he is wholly incapacitated for earning his support by manual labor by reason of diabetes and nervous prostration; that he owns 40 acres of land, with an incumbrance against it of \$725, and two horses and a cow, all of the value of \$1,000; and that his income from all sources is \$300 a year.

John E. Lopp, M. D., testified March 11, 1912, that he had that day examined the petitioner and found him suffering from chronic diabetes, and that his physical condition is such as to totally disqualify him for the performance of manual labor. Also, that in the affiant's opinion such condition is permanent, and that he had treated the petitioner for the past two years.

Two neighbors testify in corroboration of the claimant's statement as to his financial condition and say that he has a wife and four children to support, one of the children being a confirmed invalid requiring a great deal of care and attention, and that, in addition to receiving aid by subscription among the neighbors, the county has been furnishing the petitioner financial assistance. Also that he is honest, industrious, and straightforward.

From the evidence in this case your committee believe it is shown that the petitioner contracted disability in service, as alleged, and that he is now disabled therefrom. They respectfully recommend the allowance of pension at the rate of \$20 per month.

H. R. 11280. Theodore W. Swan, of the Northern Hospital for the Insane, Wausau, Wis., is pensioned under the general law at the rate of \$6 per month on account of disease of legs contracted during the War with Spain while serving as a private in Company G, Sixth Regiment Ohio Volunteer Infantry, in which he served from June 20, 1898, to February 27, 1899, when discharged on account of functional heart trouble, shown by the records of the War Department to have existed prior to enlistment.

A claim for increase filed August 1, 1906, was rejected April 5, 1912, on the ground that the evidence failed to show a degree of disability from the pensioned cause which would warrant an increased rating.

The evidence upon which that action was based is contained in a certificate of medical examination made March 6, 1912, by an examining surgeon of the Pension Bureau. His report gives the pensioner's age as 35 years, height 5 feet 7 inches, and weight 150 pounds. He said:

Legs: Right measures 14½ inches around calf. Not edematous. Two brownish discolorations between lower third of tibia and ankle, probably over healed ulcers. Exostosis on tibia below lower third, about 3 inches long and ½ inch wider than other parts of bone. Not tender.

Left, measures 14½ inches around calf. Exostosis 3½ inches long and ½ inch wider than other parts of bone. Not tender. No edema.

These exostoses are certainly result of some inflammatory reaction in bone at some time and could be result of typhoid.

No evidence of venereal disease.

He also said:

Applicant has paretic dementia and is progressively growing worse. Probably will not live very long. He has received no treatment for disease of legs since being in asylum.

No claim has been made for insanity, and the evidence does not in any way connect that condition with military service.

Evidence filed with the bill shows the pensioner to be an inmate of an insane asylum; to have a wife and two small children, and to be without property or means of support except his pension.

Upon the facts presented in this case your committee think the present rate of pension should be increased. They respectfully recommend that the pension be allowed at the rate of \$12 per month in lieu of that he is now receiving.

H. R. 11342. George C. Rimes, of Camden, Ark., served, during the War with Spain, from May 4 to November 7, 1898, as a private in Company A, Third Regiment Missouri Volunteer Infantry, and from August 15, 1899, to May 2, 1901, as a private and musician in Company E, Thirty-fifth Regiment United States Volunteer Infantry. Both discharges were honorable. A part of the second service was performed in the Philippine Islands.

He applied for pension June 7, 1901, stating that he contracted dhotie itch at San Miguel, P. I., in December, 1900, and has had it ever since.

November 3, 1905, he alleged that at Norzagaray, P. I., in 1900, he became subject to nervous and mental trouble, and when he was discharged a skin trouble was beginning which proved to be a severe case of eczema; that while suffering from the eczema, nervous and mental trouble, he attempted suicide by wood alcohol, which caused paralysis of the optic nerves, resulting in total blindness.

The claim was rejected November 22, 1906, because of no record, medical or other satisfactory evidence, showing the existence of disease of skin prior to September, 1901. It was rejected as to mental trouble because of no record, medical or other evidence, of its existence in service or prior to September, 1901, and the testimony furnished failed to show more than a temporary disability in service.

The War Department records show the soldier 19½ years of age at enlistment, and that he was absent without leave June 14 to 16, July 15 to 18, and August 25 to September 3, 1898. He was treated for a cause of disability not alleged from June 25 to 28, 1898. He was treated at various times during his second service, but not for any cause for which he claimed pension. He disclaimed having any cause of disability at his first discharge and was corroborated by his captain (Paul Shepard) and a surgeon.

At his last discharge the soldier claimed to have disability from an operation for varicocele of left side. His commanding officer knew nothing about it, and a surgeon and a board of surgeons certified that he then had no disability.

The claimant was examined by a board of surgeons at Pine Bluff, Ark., December 6, 1905. The board said:

We find no evidence of skin disease. Skin normal, no eruption.

And—

He is totally blind; glasses do not improve his sight. We decided that blindness is due to optical neuritis and atrophy of the optic nerve. No brain or nervous affliction otherwise.

J. S. Metzger, M. D., testified February 28, 1906, that he was a surgeon in the Thirty-fifth Regiment United States Volunteer Infantry; knew the claimant as an exemplary soldier; that while at Norzagaray, P. I., he reported for treatment several times, and after a short time he showed some evidence of mental derangement, which at first assumed the character of religious mania, and eventually he became melancholic in character.

Allen Lafort, second lieutenant, testified May 29, 1906, that the claimant was an excellent soldier and abstained from alcoholic drink; that in July and August, 1900, he observed the soldier at different times acting strangely and talking at random, showing signs of not being in full possession of his mental faculties; that they were then separated until March 17, 1901, and were together till May 2, 1901, and witness did not remember having noticed anything out of the ordinary in the soldier's conduct.

Earl W. Tamer testified, April 14, 1906, that the soldier was under his immediate command during his entire Philippine service; that he always found him attentive to his duties, reliable in every particular, of good habits, and did not use intoxicating liquors in any form.

The records of the City and County Hospital of San Francisco, Cal., show the claimant admitted to that institution September 6 and discharged, unimproved, November 4, 1901; diagnosis, optic atrophy and optic neuritis.

The records of the National Soldiers' Home, Tenn., show the soldier admitted there—

June 26, 1906, suffering from loss of vision of both eyes; disability dates from five years ago, due to taking, with suicidal intent, about 1 pint of methyl alcohol; states that he was blind on recovering consciousness, which was on the fourth day.

Louis Jacobs, M. D., testified September 17, 1906, that he treated the claimant in the City and County Hospital, San Francisco, Cal., in September, October, and November, 1901, for total blindness, pustular eczema of both lower limbs, which was entirely healed up on his discharge from the hospital, and that the claimant was in a very nervous condition and bad state of health while in the hospital.

J. W. Conerly, M. D., of San Angelo, Tex., testified in September, 1906, that from the middle of November, 1901, to middle of January, 1902, he knew the claimant and knew him to be blind and in a very nervous condition.

George W. Hudson, M. D., testified May 21, 1906, that he had treated the claimant since February, 1902; that at times he is extremely nervous and subject to melancholia; has been blind, and that he has traces of eczema.

In an affidavit accompanying the bill the claimant states that he is wholly disabled by total blindness; has no property and no income.

Witnesses state that the petitioner has always been a man of good moral character; that he is blind and without property or income; that he is totally blind, and physicians say he is in a very nervous condition, which one physician attributes to the hot climate and exposure incident to any service.

From the history of this case, as shown in the foregoing statement of the facts, your committee believe the petitioner is disabled as alleged and they respectfully recommend the allowance of pension at the rate of \$12 per month.

H. R. 12436. William Ramsey, of Wooster, Ohio, is pensioned under the general law, the act of February 6, 1907, at the rate of \$20 per month on account of service as a private in Troop B, United States Mounted Riflemen, from July 27, 1846, to August 28, 1848, during the War with Mexico. The pension commenced February 27, 1907. He had previously drawn pension at \$8 per month from January 29, 1887, under the law of that date, and at \$12 per month from December 8, 1894, under the act of January 5, 1903.

The pensioner is about 91 years of age and appears, from evidence filed with the bill, to be without property or income except his pension of \$240 a year and to be wholly unable to perform manual labor.

On account of the pensioner's great age, consequent inability to earn a support by manual labor, and his lack of property or income your committee, in accordance with precedent in similar cases of Mexican War survivors, respectfully recommend that pension be allowed at the rate of \$30 per month in lieu of that he is now receiving.

H. R. 13813. William H. Mercer, of Alma, Ga., is the father of Grover C. Mercer who served in the United States Navy from April 26, 1906, to October 29, 1909, and who was pensioned at \$8 per month from November 2, 1909, on account of pulmonary tuberculosis incurred as a seaman on the U. S. S. *Wabash* during the period of service stated.

The sailor died February 25, 1911, of the disease for which he was pensioned, leaving no widow or minor child, and on May 5, 1911, the petitioner applied for pension as a dependent father.

The evidence in the case sufficiently shows the relationship of the sailor to the petitioner, the death of the sailor's mother, and the dependent condition of the claimant. The latter is 73 years of age.

The Pension Bureau rejected the claim July 24, 1911, on the ground that the claimant having voluntarily served in the Confederate States Army, as shown by his own statement and official records, is prohibited under section 4716, Revised Statutes, from being paid pension as the dependent father of the sailor.

Section 4716, Revised Statutes, provides that —

No money on account of pension shall be paid to any person, or to the widow, children, or heirs of any deceased person who in any manner voluntarily engaged in or aided or abetted the late rebellion against the authority of the United States.

Congress has not since removed the bar to the payment of pensions in this class of cases, though it has in other classes, and there is now on the House Calendar a bill to repeal the law mentioned, which bill was unanimously approved and reported by this committee.

Under these conditions your committee believe the claimant should be afforded the relief he seeks, and they respectfully recommend the allowance of pension at the rate of \$12 per month.

H. R. 13852. John S. Scheerer, of Washington, D. C., served in the United States Army from November 8, 1878, to December 11, 1882. He is pensioned as an ordinary seaman of the U. S. S. *Wyandotte*, United States Navy, at the rate of \$17 per month on account of rheumatism and resulting disease of heart.

A claim for increase, filed June 6, 1911, was rejected July 20, 1911, on the ground that the degree of disability from the pensioned cause did not warrant an increased rating—"condition largely due to paralysis agitans."

The certificate of medical examination upon which that action was taken was made June 28, 1911, by a board of surgeons at Washington, D. C. The board reported:

Rheumatism: Right hand is swollen. He alleges rheumatism affecting most joints of the body. He is so weak and affected by paralysis agitans as to render full examination impractical. No crepitus elicited. Sensation of motion in right arm and shoulder—is unable to get right hand to head. Rate, 17/18.

Heart: Apex beat and area of dullness normal; rhythm regular; strength fair only no murmurs; no cyanosis or edema; no arcus senilis; vessels soft; no arterioclerosis. Rate, 0/18.

Lungs: Chest measurements, 35-37½; normal upon inspiration, percussion, and auscultation. Rate, 0/18.

Paralysis agitans: Entire body affected to a marked degree; left arm is perhaps worse. He is unable to dress and undress himself or to feed himself. Requires aid even at closet. (Alleges loss of 22 pounds in last two years.) No other evidence of disease of nervous system. Rate, \$50 per month.

Vicious habits: No evidence of; structures usually involved in syphilis are not diseased. He disclaims use of intoxicants and we believe his statement. No other disability. (He looks to be over 60.) Pulse and respiration not taken after exercise because of his condition.

In an affidavit filed with the bill the petitioner asks for a pension of \$30 per month on account of rheumatism and resulting disease of heart and paralysis agitans, which he believes to be a result of rheumatism and malarial poisoning, for which he had a long period of treatment in service.

Good evidence in the case shows him to be without property, and in part dependent upon others not legally bound for his support. It is shown that his wife is insane and that his oldest son, aged 13, is an inmate of the industrial home in the District of Columbia.

Two laymen testify that the pensioner is an honorable, upright citizen, of good habits, respected by all of his neighbors and associates; that he is totally disabled for the performance of manual labor, and that he is without income, except his pension of \$17 per month.

Dr. H. N. D. Parker testified, August 10, 1911, that—

I have known John S. Scheerer for four years; said Scheerer is suffering from rheumatism and resulting disease of heart to the extent of totally disqualifying him for performing any physical or mental labor. He is also suffering from paralysis agitans, which in my judgment is the direct result of the rheumatism, and is unable to care for himself, dress or feed himself, and is in a condition that requires the constant attention of an attendant. In my judgment his ailments will continue to increase until the end comes. There is no known remedy for his disease.

From the foregoing history of the case your committee think the present disability from the pensioned cause entitles the pensioner to an increased rating. They respectfully recommend the allowance of pension at the rate of \$24 per month in lieu of that he is now receiving.

H. R. 14649. Wesley J. Banks, of Centerville, Iowa, is pensioned as a Mexican War survivor on account of service in that war as a corporal in Company A, First Regiment Indiana Volunteer Infantry, from June 17, 1846, to June 16, 1847.

His pension was originally allowed under the act of January 29, 1887 (providing pensions for survivors of the Mexican War who had 60 days' service in that war and honorable discharge, etc.), on October 6, 1887, at \$8 per month from the date of the enactment of the law. It was increased to \$12 per month from March 3, 1903, the date of an act increasing the rate of such survivors' pension to that amount, and on March 12, 1906, the rate was increased to \$20 per month by a private act of that date.

The report of the Committee on Pensions in the Fifty-ninth Congress, on which the private act was based, showed that the pensioner was then 80 years of age, wholly incapacitated for earning a support by manual labor by reason of infirmities due to advanced age and the result of an accident causing a broken bone near the hip joint; also that he was in destitute circumstances, having no means of support aside from his pension.

In an affidavit filed with the bill the petitioner states that he is 86 years of age, wholly disqualified for manual labor by a broken hip; that he has not been on his feet for 11 years, owns no property, and has no income aside from his pension.

In accordance with precedent in cases of Mexican War survivors of great age, physically incapacitated for manual labor and in destitute circumstances, your committee respectfully recommend the allowance of pension at the rate of \$30 per month in lieu of that he is now receiving.

H. R. 16323. Ronald B. Veach, of Anderson, Ind., is pensioned under the general law at the rate of \$10 per month on account of chronic diarrhea and resulting disease of rectum contracted during service in the War with Spain as a private of Company A, Eleventh Regiment, United States Infantry, in which he served from September 15, 1897, to September 14, 1900, when discharged upon the expiration of his term of enlistment. A part of the service was performed in Porto Rico.

The original pension was allowed on account of chronic diarrhea April 11, 1904, at \$6 per month, commencing April 22, 1901. The rate was increased to \$8 from April 3, 1907, for the same cause and resulting disease of rectum, and to \$10, the present rate, from September 9, 1908.

Claims for increase, filed February 28, 1910, and May 29, 1911, were rejected May 18, 1910, and August 5, 1911, on the ground that the disability from the pensioned causes would not justify an increased rating.

The medical examination upon which the last action was based was made July 12, 1911, by a board of surgeons at Noblesville, Ind. The board reported the pensioner as 5 feet 10½ inches in height, 35 years of age, and weighing 168 pounds. They said:

Nutrition fair only. Tongue broad, red, coated brown, fissured. Throat congested. Chest rest 40 inches; inspiration, 42; expiration, 38; walls symmetrical. Stomach distended, very gaseous and tender on pressure. Entire bowels very tender on pressure and tympanitic. The liver is enlarged, extending 2 inches below the ribs and up to within 1 inch of nipple and very tender; skin cold, clammy, and sallow.

Rate, 10/18.

Also:

Disease of rectum. Anus and external parts highly inflamed. No external tumors. The rectum is very much inflamed as high as the speculum shows; there are two internal tumors one-third inch diameter, and sphincter relaxed. Rectum very tender.

Rate, 8/18.

They also said:

Claimant alleges that during the summer months he is not able to earn a support by manual labor, which, in the opinion of the board, is true * * *.

In an affidavit filed with the bill the petitioner states that he is in part incapacitated for earning his support by manual labor by

chronic diarrhea and disease of rectum, that he has no property, and that his annual income is \$400.

A physician testifies that he has known the pensioner for several years, and knows he suffers attacks of chronic diarrhea and has a great deal of trouble with disease of rectum; that he is compelled to work at intervals when suffering attacks of chronic diarrhea, and complains that he is distressed most of the time and must use care in his diet. He does not say that he has ever treated the claimant.

A layman states that he knows the pensioner suffers with chronic diarrhea, and that when asked why he was not working, said, "I have been told by him that he was suffering from diarrhea," and that he does not work regularly.

The evidence in this case, in the opinion of your committee, shows the pensioner entitled to an increased rating, and they respectfully recommend the allowance of pension at the rate of \$18 per month in lieu of that he is now receiving.

H. R. 16799. Clinton L. Coleman, of National Military Home, Ohio, during the War with Spain, served as a private in Company L, Tenth Regiment Ohio Volunteer Infantry, from June 23, 1898, to March 23, 1899, when mustered out with the company.

He applied for pension August 15, 1901, stating that he was taken sick at Camp Meade, Pa., about October 1, 1898, with malarial fever, for which he was sent to hospital and treated and that ever since he has suffered with aches and pains, which culminated May 24, 1901, in partial paralysis of both legs and arms, on account of which he claims pension.

The claim was rejected December 16, 1903, on the ground that there was no record of the alleged paralysis, no medical evidence of its existence in service, and the claimant's evident inability to connect its origin with military service.

Reopening was twice denied, the last time in February, 1907.

The War Department records show the soldier 26 years of age at enlistment. No physical defects were noted at that time. The medical records show him treated for malaria October 11 to 31, 1898; diagnosis also shown October 18 to 21, 1898, as gonorrhea; December 22 to 31, 1898, vaccination.

It is noted on the company muster-out roll that the soldier was on furlough from November 1 to 7, 1898; sick in quarters July 29 and November 15 to December 1, 1898, in line of duty.

Upon examination, March 5, 1899, preliminary to discharge, the soldier disclaimed having any disability and was corroborated by his captain and a surgeon.

He was examined by a board of surgeons at Zanesville, Ohio, March 12, 1902. They found locomotor ataxia, of which they said there was absolutely no evidence of venereal origin; that "the sequellæ of malaria are manifold and might be set down as a probable cause of locomotor ataxia, did it exist, but there is no evidence of malaria now. No history of present chills nor fever nor in the recent past."

They also said:

We consider the cause obscure. Disability is complete and he requires help in many ways.

Rate, \$30.

The lieutenants and first sergeant of the soldier's company testified that he was sick a great deal in service, complained of aches and pains and of rheumatism. They said he was a good soldier.

Witnesses state that the soldier was in fine health before service, and that immediately on his return he complained of pains and aches from his hips to his knees, and so complained until he was paralyzed. One witness with whom he worked as a carpenter stated that not long after he returned from the Army the claimant went to work in a shop with him, and he was not then anything like the man to work that he was before, and that he complained of awful pains in his back and limbs; that they worked together for over a year, and the claimant would have to frequently go home, complaining of his back and legs. Other witnesses gave similar testimony and one witness said he had malaria and some kind of fever when he came home from service.

Charles M. Lenhard, M. D., testified December 19, 1902, that he treated the claimant during the summer of 1900 for general debility; that he complained of weakness of his legs and arms, and often when not working his legs and arms would be tired and painful. Also that he was unable to work most all the time he was under affiant's care. He expressed the opinion that disease of spinal cord, sclerosis, which caused the paralysis, was due to malarial poisoning.

H. R. Geyer, M. D., testified January 7, 1903, that he treated the claimant for partial paralysis from May 30 to August 30, 1901, during which time he was totally disabled.

The surgeon of the Ohio Soldiers and Sailors' Home certified that the claimant was in the hospital of that home from August 31, 1901, to April 11, 1902, for sclerosis of posterior column of cord.

Other witnesses testified that the soldier had malaria in service.

In an affidavit accompanying the bill the petitioner states that he is unable to perform any manual labor; that he was a charge on his parents, who were unable to support him, and that he is an inmate of the National Military Home.

Evidence, medical and lay, show the soldier totally disabled.

In the judgment of your committee the petitioner is shown to be disabled, as alleged, as a result of his military service, and they respectfully recommend the allowance of pension at the rate of \$30 per month.

H. R. 18519. William M. Hanks, of Lawton, Okla., served, during the War with Spain, as a private in Company C, Ninth Regiment Illinois Volunteer Infantry, from June 28, 1898, to May 20, 1899, when he was mustered out with the company.

He applied for pension May 23, 1900, stating that at Habana, Cuba, about April 19, 1899, while on duty as guard on wagon hauling goods from camp, and while in the act of getting on the wagon, the horses started suddenly, throwing him on the curbstone, badly and permanently injuring his right hand, wrist, arm, and collar bone. Also that he incurred varicocoe and piles by lifting beef and other hard duty at Habana, Cuba, about February, 1899. He added injury to left shoulder February 19, 1904.

The claim was rejected February 15, 1909, for injury of right hand, wrist, and arm, left shoulder and left collar bone, on the ground of no ratable disability therefrom since date of filing the application; for

varicocele and piles, because of no record, medical, or other satisfactory evidence showing origin in service, existence at discharge, or continuance thereafter.

Reopening was denied in November, 1911.

The records of the War Department show the soldier 42 years of age at enlistment and treated October 1 to 3, 1898, for acute dysentery; October 10 to 13, 1898, for acute gastroenteritis, also shown as acute indigestion; December 8, 1898, for colic; December 16 to 19, 1898, for coryza (cold in head).

No physical defects were noted at enlistment.

Upon examination preliminary to discharge the soldier claimed to have varicocele, incurred in January, 1899, at Habana, Cuba. His captain certified that he knew nothing about it and certified that he had examined the soldier and that he had no disability of any character. A special board of surgeons then examined him and certified that they concurred in the finding of the examining surgeon, that the soldier had no disability.

The claimant was examined by a board of surgeons at Harrisburg, Ill., August 7, 1901. They found no objective evidence of injury of hands, wrists, arms, shoulders, and breast. They said:

Left clavicle has been fractured near acromial end, causing slight deformity, but no disability.

Also:

There is varicocele of left side, size of mass about 2 by 6 inches, hydrocele and hernia all excluded.

And

Rectum congested; no internal pile tumors; three external tabs, size about one-half by one-half inch each.

No other disability. Rate, left varicocele, 4/18; rectum and piles, 4/18.

Several witnesses testified that the soldier had diarrhea in service and that he complained of having piles and varicocele. They also corroborate the claimant as to his having fallen from a wagon; but only one witness said he was present when he fell. The others testified from information afterwards obtained. The one witness who said he saw the fall said he was hurt in the right hand, wrist, and arm, collar bone, and shoulders. Others said they noticed the injuries afterwards. One witness said the soldier told him he had varicocele, caused by lifting quarters of beef, and that he complained of diarrhea and of piles.

F. W. Wylie, M. D., testified May 16, 1902, that the claimant was then afflicted with hemorrhoids, varicocele, and a sprained right wrist, and an old fracture of the left clavicle, and that he had treated him repeatedly for the sprained wrist and his condition at times rendered him unfit for labor; also treated him for hemorrhoids. He said he had known the claimant three years, but did not say when he treated him.

That witness testified January 15, 1908, that his treatment was possibly in 1901, and consisted of two or three bottles of liniment and possibly a box or two of ointment, and that—

I have no knowledge of him being incapacitated for labor by reason of same. I have no dates of treatment.

Two witnesses testified in 1908 that the claimant had complained of piles during the past year.

The claimant's brother testified in 1908 that he was suffering with piles when he came home from the Army and has so suffered ever since.

Charles A. Brown, captain of Company K, of the claimant's regiment, testified August 5, 1911, that the soldier was injured by falling from a wagon in Cuba, and that it was said his right wrist was broken and left shoulder dislocated; that his recollection and opinion was that the soldier's health was never good from that time up to about 1895, to which time the witness said he saw him occasionally.

Other witnesses testify to complaints of the various alleged disabilities after service.

I. A. Foster, M. D., testified August 1, 1911, that he treated the claimant for cramp colic about the year 1895, and that after his Army service the claimant consulted him for bleeding piles, and upon examination he found his collar bone had been broken and the "cracked place had calloused over." He thought this was in 1899; that he met the claimant frequently until about 1902 or 1903 and he seemed to be a physical wreck.

In an affidavit accompanying the bill the petitioner states that he owns four lots in Lawton, Okla., for which he agreed to pay \$350, and had paid \$35; that he owns no other property and has no relatives able to support him.

Witnesses corroborate the statement as to financial condition and say the claimant is three-fourths disabled and has complained of his different alleged causes of disability since service.

A physician testifies to condition on January 30, 1912, and says he has hemorrhoids and left varicocele, and has had a fracture of the collar bone and sprained right wrist. Also that he attended him four years ago for severe cramping and congestive spells, and that he is unable to do any heavy work.

The evidence in this case, as shown by the foregoing, in the opinion of your committee, justifies the allowance of pension at the rate of \$12 per month, and such action is respectfully recommended.

H. R. 18814. John G. Morgan, of Taylor, Ark., is pensioned under the act of February 6, 1907, at the rate of \$20 per month as a private in Sargent's company, First Regiment Georgia Volunteers, War with Mexico. His service commenced June 11, 1846, and ended by honorable discharge May 29, 1847.

The pension was originally allowed at \$8 per month from June 29, 1887, under the act of that date; was increased to \$12 per month from January 5, 1893, under the law of that date, and to the present rate of \$20 per month, as stated above, from March 29, 1907.

Evidence in the case shows the pensioner to be about 87 years of age, and evidence, lay and medical, filed with the bill, shows him to be wholly incapacitated for the performance of manual labor by reason of his advanced age and physical disabilities. The evidence also shows that the pensioner is without property or income except his pension, and is in part dependent on others for support.

On account of the pensioner's necessitous circumstances, dependent on his age and disability, and in accordance with precedent in similar cases of Mexican War survivors, your committee respectfully recommend the allowance of pension at the rate of \$30 per month in lieu of that he is now receiving.

H. R. 19713. Lawrence Z. Hoffman, of Cleveland Mills, N. C., served as a private in Company F, Tenth Regiment United States Infantry, from November 29, 1895, to November 28, 1898, when

discharged at the expiration of term of enlistment. The latter part of the service was performed during the war with Spain, and in Cuba from June 23 to August 10, 1898.

On February 1, 1899, the petitioner applied for pension, stating that he had nervous prostration and debility due to malaria contracted in Cuba during the Santiago campaign in July, 1898. In an affidavit filed September 26, 1901, he alleged enlargement of liver and spleen and catarrh contracted in Cuba.

The War Department records show the soldier treated in December, 1895, for boils; from February 27 to April 28, 1898, for acute gastritis; from March 19 to April 9, 1898, for acute cystitis and prostatitis; from July 29 to 31, 1898, for acute diarrhea; from September 24 to 28, and October 11 to 13, 1898, for malaria; October 14 and 15, 1898, for rheumatism, and from October 28 to November 3, and November 20 to 23, 1898, for malaria; the latter period intermittent. All in line of duty.

Dr. F. T. Ford testified September 30, 1901, that the soldier was in perfect health up to enlistment and that he treated him on his return from service for enlargement of spleen and liver and nervous debility.

The claimant was examined by a board of surgeons at Lenoir, N. C., August 7, 1901, and found no evidence of malaria; liver and spleen normal. They said he had nasopharyngeal catarrh, and rated it at \$3. No signs of nervous prostration were disclosed, but chorea, principally in the muscles of the neck, was rated at \$6. No evidence of debility. "Is a strong, well-developed man, muscles firm, color good, skin clear."

Soldier was examined by a single surgeon at Charlotte, N. C., April 2, 1902, who found no cause of disability except slight postnasal catarrh, which was not severe enough to rate. He described the claimant as "healthy in appearance, muscles firm, hands calloused." Age, 27 years; height, 6 feet; weight, 180 pounds.

The claim was rejected June 9, 1902, because of no disability from the alleged causes since date of filing.

Dr. F. T. Ford made an affidavit August 17, 1906, in which he said he treated the claimant in 1899 for malarial poisoning, enlarged liver, spleen, and nervous prostration. He is still suffering with chronic nervous affection. While under treatment was not able to perform manual labor half the time.

Four laymen testified in August, 1906, that the claimant was a sound man before service and that since discharge he has been one-half disabled.

Upon this the Pension Bureau declined to reopen the claim.

Filed with the bill is the petitioner's affidavit, in which he says he is one-half incapacitated from earning his support by manual labor by reason of chronic congestion of liver with aggravated case of St. Vitus's dance or chorea; that he owns 41 acres of land valued at \$3 per acre, 1 horse and 2 cows, of the value of \$275, and has no income except what little crop he can raise on his land.

E. A. Houser, M. D., testified, December 19, 1900, that he had examined the petitioner and found him suffering from chronic congestion of liver with aggravated case of St. Vitus's dance or chorea, making his disability for manual labor at least one-half. That affidavit was filed with a bill in the Sixty-first Congress.

In an affidavit accompanying the pending bill the petitioner states that he is one-half disabled by St. Vitus's dance or chorea, sluggish liver, and catarrh; that he owns 50 acres of land listed for taxation at \$168, and personal property valued at \$178; and that his income from all sources is "about \$150, made on farm."

Two witnesses state that the petitioner's real estate is worth about \$350 and that it is encumbered.

A physician testified, April 18, 1912, that he had examined the petitioner and found him suffering from biliary trouble and chorea, which disabled him more than one-half for manual labor.

From the facts shown in the foregoing statement of the case, your committee believe the petitioner is disabled as alleged, and they respectfully recommend the allowance of pension at the rate of \$12 per month.

H. R. 20634. Rupert Haas, of St. Louis, Mo., during the War with Spain, served as a private and corporal in Company E, Sixth Regiment United States Infantry, from February 1, 1898, to January 25, 1899, when discharged by way of favor. He previously served as a private in Company A, Eleventh United States Infantry, from March 28, 1891, to June 27, 1894; in Company E, Ninth Regiment United States Infantry, from January 16, 1895, to January 15, 1898. All discharges were honorable.

He applied for pension May 18, 1899, stating that at Santiago, Cuba, about July 9, 1898, he contracted chronic malaria, and that disease of heart, liver, and spleen resulted from the malaria.

In an application filed June 22, 1907, he alleged that he contracted chronic malaria, disease of heart, rheumatism, and lumbago at San Juan Hill, Cuba, about July 15, 1898.

The claim was rejected January 24, 1901, on the ground that a ratable degree of disability had not been shown since the date of application for malarial poisoning, disease of heart, liver, and spleen.

It was rejected November 30, 1909, because of no record, medical or other satisfactory evidence, of origin in service, or of existence at or since discharge of rheumatism, lumbago, and disease of heart, and because of no ratable disability, since filing the application, from those diseases and malarial poisoning.

Reopening has been denied eight times, the last time in June, 1911.

The War Department records show the soldier 20 years of age at his first enlistment in 1891. They do not show any physical defects at last enlistment.

The medical records show treatment for minor ailments in 1891, 1892, and 1893, and for acute alcoholism for three days in December, 1897.

He was treated May 6 and 7, 1898, for a slight ailment not claimed for; August 1 to 8, September 5 to 15 and September 23 to October 4, 1898, for malarial fever, and granted a sick furlough from October 4 to November 3, 1898. The furlough was three times extended, and ran until discharge, on certificates from Dr. J. Lefler of Johnstown, N. Y. The first certificate was dated October 27, 1898, the physician saying the "soldier was suffering from chills and fever, diarrhea, and vomiting."

November 25, 1898, he certified that the soldier was "still suffering from chills and fever; when walking becomes short winded; pulse feeble;

circulation feeble in both lower and upper extremities; great muscular soreness and tenderness of muscles of back, arms, chest, and legs."

December 28, 1898, the physician said the soldier was "thin in flesh, weak and pale, has no good blood, has cough, cramps in legs and fingers, pain in back, no appetite, has chills and fever every few days."

The claimant was examined by a board of surgeons at St. Louis, Mo., July 13, 1900. Age reported 28 years, height 5 feet 8½ inches, and weight 145 pounds. They said:

The objective symptoms of chronic malaria are not much in evidence. The skin is normal, healthy, moist, pink, no cyanosis, tongue clean. He is not nervous nor easily excited. Some tenderness over liver and spleen, neither enlarged, congested, nor diseased permanently. He may have occasional attacks of malaria as he states. * * * We rate 4/18.

They reported the heart normal and no evidence of rheumatism.

He was examined by another board at St. Louis, Mo., October 6, 1909. Weight reported, 150 pounds. They found no evidence of malaria. Liver and spleen, bowels and digestive functions normal. No heart or lung disease, kidneys normal. They said:

We find some evidence of lumbago, stooping and recovery a little slow. Complains much of pains in back at night and fleeting pains through body. No joints show any evidence of rheumatism. No contrasted tendons or atrophied muscles. 6/18.

The testimony is chiefly that of laymen, and shows the existence of malarial fever in Cuba in 1898, complaint of heart trouble and nervousness in July, 1898, and of chills and fever in December, 1898, and January, 1899.

Numerous witnesses state that the claimant complained continuously or almost continuously from discharge to December, 1911, of rheumatism, pains in back, chills and fever, malaria, and lumbago. A number of witnesses also state that the claimant had chills and fever at discharge and complained of rheumatism.

Some witnesses state that the claimant has been disabled for manual labor about half the time since discharge.

James McClure, M. D., testified May 12, 1899, that he examined the claimant that day and found chronic malaria, enlarged liver and spleen, coated tongue, eyes and skin slightly jaundiced, heart's action excitable and rapid and poor circulation.

Charles W. Gowans, M. D., testified that he examined the claimant July 14, 1901, and found malarial poisoning, enlarged liver, heart affected, systolic murmur, and the patient unfit for work.

Dr. William C. Green testified that he examined the claimant May 20, 1902, and found heart trouble, jaundice, dullness of liver and spleen, and bones of legs tender on pressure.

Frank Wild, M. D., testified March 23, 1909, that he had treated the soldier since January, 1906; that he had lumbago and sciatica from January to March, 1906, and was unable to work, and that he had been unable to work half the time.

In an affidavit accompanying the bill the petitioner states that he has no property or income of any kind, is unable to perform manual labor, and is mainly dependent on his wife for support.

Witnesses corroborate his statement.

P. A. Pfeffer, M. D., testifies that the petitioner has been under his "care and treatment for the past two and a half years. On different occasions he has been suffering with several chronic ailments—malaria, myopia, general debility, neurasthenia, nephritis, and a gen-

eral exhaustion, due to exposure. His ailments are such that it makes him physically incompetent to perform manual labor, which a man of his standing should do having a family to support, and the ailments he has renders him incompetent to do any manual labor. I believe from the treatments and medicines I have resorted to that his case is incurable."

From the foregoing history of this case your committee believe that pension should be granted. They respectfully recommend the allowance of pension at the rate of \$6 per month.

H. R. 20999. Charles Myer, of Macon, Ga., is pensioned under the general law at the rate of \$6 per month on account of malarial poisoning incurred as an artificer in Company E, First Regiment Georgia Volunteer Infantry, in which he served from May 2 to November 18, 1898, during the War with Spain.

The pension was allowed December 11, 1903, commencing February 21, 1899.

A claim for increase, filed December 18, 1911, was rejected January 26, 1912, on the ground that the degree of disability shown from the pensioned cause did not warrant an increased rating; that no disability was shown from stomach trouble independent of that covered by the rate allowed for malarial poisoning, and alleged loss of sight was not accepted as a result of the pensioned disability.

In support of the claim for increase, A. Moody Burt, M. D., testified December 14, 1911, that the pensioner had been under his professional care a considerable part of the time during the past four or five years, and that—

At first the said Myer was suffering from an obscure, obstinate, chronic intestinal indigestion; that for the past year optic neuritis has supervened and has finally developed complete blindness of both eyes, and the said Myer is totally blind, and is now totally incapacitated for any ordinary avocation of life.

The medical examination on which the adverse action was taken was made by the board of surgeons at Macon, Ga., January 3, 1912. The board reported: Age, 45 years; height, 5 feet 6½ inches; and weight, 146 pounds. They said:

General appearance healthy; tongue clean; skin clear; heart negative; lungs negative; urine negative; conjunctiva slightly injected; pupils react slowly to light; can not discern objects; can tell light from darkness; no disease of rectum; liver, spleen, abdominal organs negative. Don't know cause of loss of vision; board not in position to make ophthalmoscopic examination. No evidence of vicious habits or excessive use of intoxicants. Claimant is so disabled from blindness as to be incapacitated for performing any manual labor, and is entitled to \$30 a month.

In an affidavit accompanying the bill the petitioner states that he is wholly disabled by malarial poisoning and resulting total blindness; that he is without property of any kind and is solely dependent upon his pension and the charity of acquaintances.

The gentleman who introduced the bill states from his own personal knowledge that the pensioner is blind, has no property other than his pension of \$6 per month, is an object of charity, and is being supported by a benevolent order and by friends.

The evidence, your committee think, shows an increased degree of disability from the pensioned cause and results, and they respectfully recommend the allowance of pension at the rate of \$24 per month in lieu of that he is now receiving.

H. R. 22228. Jacob Mandelbaum, of New York City, N. Y., served during the War with Spain as a private in Battery D, Second Regiment, United States Artillery, from May 22, 1899, to September —, 1899, when transferred to Battery G, of the same organization, from which he was transferred to Troop H, Seventh Regiment United States Cavalry October 29, 1900, from which he was discharged May 22, 1902, by expiration of his term of enlistment.

He applied for pension May 15, 1905, stating that he contracted rheumatism from exposure in the Army. Subsequently he said the disability originated while he was a member of Battery G, Second Regiment, United States Artillery.

The claim was rejected January 16, 1906, on the ground that the continuance of the alleged disability was not shown to exist from discharge, no evidence being filed, and because a ratable degree of disability was not shown to exist.

Reopening has since been twice denied, the last time in October, 1909.

The War Department records show the soldier 21 $\frac{3}{4}$ years of age at enlistment, with no physical defect noted at that time.

The medical records show him treated in June and August, 1899, and June and July, 1900, for causes unrelated to his alleged disability, and from April 22 to 25, 1901, for acute neuralgia right hip; from February 17 to March 7, 1902, for neurasthenia, characterized by slight indefinite pains in back and along both great sciatic nerves, cause unknown.

The claimant was examined by a board of surgeons at New York City, N. Y., October 11, 1905. Height, 5 feet 11 inches; weight, 152 pounds. The board said:

Pain on pressure and on motion in wrists and knees. All joints normal as to size and motion. No atrophy, no thickening, no crepitus, and no contraction. Two-eightheenths.

Heart normal. No evidence of venereal disease and no history of same. No vicious habits.

They also rated two-eightheenths for lumbago, which they stated he said he had had for five years.

No evidence was filed prior to the rejection of the claim.

Samuel J. Bemfeld, M. D., testified, February 25, 1909, that he treated the claimant from February 1 to November 15, 1906, for muscular rheumatism, neurasthenia, and lumbago; that upon examination he "found all organs in good health except that he complains that his limbs ache him, that he has a severe pain in the lumbar region of his back, which prevents him from working, and general symptoms of neurasthenia," and during period of treatment the claimant was unable to work.

Other physicians testified in 1909 to treatment for the same causes from January, 1905, to January, 1906.

Laymen testified in 1909 in general terms to physical disability from 1902.

Dr. Joseph Bruder testified, August 4, 1909, that he treated the claimant about six years ago for rheumatism.

Henry Reiter, M. D., testified, August 3, 1909, that to his best recollection he treated the claimant "during the latter part of 1903 until August or September, 1904; he has been complaining of pains

in his back, shoulders, hips, and knees, and my diagnosis was chronic articular rheumatism."

George I. Miller, M. D., testified, August 4, 1909, that he treated the claimant May 29, 1902, for chronic articular rheumatism, lumbago, nervous debility, and anemia; that the treatment continued at various dates in each month to December 21, 1902, and during that period he was physically unable to do any manual labor.

Several lay witnesses also testified, in October, 1909, that the soldier was sound before service and had been disabled by rheumatism in back and legs ever since his discharge, and that they knew of his being treated by different physicians during that time.

In an affidavit accompanying the bill the petitioner states that he is wholly disqualified for manual labor by rheumatism in his joints and spine; that he owns no property except wearing apparel of nominal value, and that he has no income.

Laymen corroborate his statements as to physical condition, and two physicians state that he has chronic articular rheumatism of spine, known as arthritis deformans; that such condition is progressive and has existed to their personal knowledge six months, and since August, 1910. One of them also states that the claimant has had two attacks of iritis within six months, and both say he is totally disabled.

From the evidence in this case, as disclosed in the foregoing statement, your committee conclude that the petitioner is disabled as a result of his military service, as alleged, and they respectfully recommend the allowance of pension at the rate of \$24 per month.

H. R. 23692. Elizabeth S. Tinsley, of Hartsville, Tenn., is pensioned under the general law, acts of January 29, 1887, and April 19, 1908, at the rate of \$12 per month as the widow of Alfred M. Tinsley, who served as a private in Capt. Bennett's company, First Regiment Tennessee Volunteer Infantry, during the War with Mexico, from June 2, 1846, to May 24, 1847.

The pensioner was born July 20, 1842, and was married to the soldier October 25, 1859. He died March 27, 1882, and the widow has received pension at \$8 per month from January 29, 1887, and at \$12 per month since April 19, 1908.

Evidence, lay and medical, filed with the bill, shows that the pensioner has no property except a small amount of household furniture; that she is without any income except her pension, and that she has been a sufferer from chronic rheumatism and for the past two years has been in an almost helpless condition, and is now so helpless as to require the constant care of an attendant; that she can not walk a step without assistance, has little or no use of her hands, can not feed herself, and that the joints of her hands are enlarged, stiff and immovable.

In view of the pensioner's advanced age, her utter lack of means of support outside of that furnished by her pension, and her almost total helplessness from physical disability, and in accordance with precedent in similar cases of widows of soldiers of the Mexican War, your committee respectfully recommend the allowance of pension at the rate of \$20 per month in lieu of that she is now receiving.

Union Calendar No. 230.

62D CONGRESS, } HOUSE OF REPRESENTATIVES. } REPORT
2d Session. } No. 679. ✓

QUITCLAIM OF INTEREST OF UNITED STATES IN CERTAIN LAND IN HAMPDEN COUNTY, MASS.

MAY 9, 1912.—Committed to the Committee of the Whole House on the state of the Union and ordered to be printed.

Mr. TILSON, from the Committee on Military Affairs, submitted the following

REPORT.

[To accompany H. R. 11933.]

The Committee on Military Affairs, to whom was referred the bill (H. R. 11933) authorizing the quitclaiming of the interest of the United States in certain land situated in Hampden County, Mass., having considered the same, report thereon with a recommendation that it do pass.

The tract of land which is the subject of this bill contains about 40 square rods, and is located in Springfield, Hampden County, Mass.

The United States acquired title to said land by a deed from one Solomon Hatch, of Springfield, dated September 14, 1825, and recorded in liber 75, folio 186, of the Hampden Registry, "with the privilege of erecting and keeping a magazine for storing powder" thereon and a right of way across certain surrounding land which belonged to the grantor. A Government armory was located at Springfield and a powder magazine was erected and used in connection therewith. While the magazine was in operation the surrounding land was conveyed by said Hatch and another to one Edward Ingersoll, of Springfield.

For some time prior to the year 1859 it had been considered dangerous to maintain the magazine in that location on account of the development and increased use of the neighborhood for dwelling purposes. The desire to have the magazine removed to some other neighborhood resulted in an oral agreement between said Ingersoll and the Government (acting through Col. H. K. Craig, Chief of Ordnance, and James S. Whitney, superintendent of the armory), whereby Ingersoll was to transfer other land owned by him to the United States, to which new location the magazine was to be removed, and in consideration thereof the United States was to convey to Ingersoll the land vacated. In pursuance to this agreement Ingersoll did convey other land to the United States, and the magazine was removed thereto, but no deed has ever passed from the United States conveying the land in question to Ingersoll or his successors. The land was used continuously by Ingersoll after the removal of the magazine, and was included with other property in a deed from him dated 1867, through which deed and subsequent transfers the land has come to, and now stands in

the names of, John D. McKnight and William H. McKnight, both of Springfield, for whose relief this bill is drawn.

Gen. Crozier, Chief of Ordnance, states in his indorsement of the bill that the land in question is of no present or prospective use for governmental purposes. The United States has received the equivalent thereof, and has long acquiesced in the exercise of acts of ownership over it by Ingersoll and his successors. The failure to convey the land in accordance with the terms of the oral agreement seems to have been due solely to oversight or neglect, and it is only just and equitable that the relief sought should be granted.

The bill has the approval of the War Department, as appears from the indorsement hereto annexed.

[Fourth indorsement.]

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF ORDNANCE,
Washington, May 4, 1912.

Respectfully returned to the Secretary of War.

There is inclosed herewith a copy of an affidavit of Edward Ingersoll, under date of September 18, 1890, taken from the records of the Springfield Armory, Mass., which affidavit gives a history of certain transactions bearing upon the subject matter of the bill, H. R. 11933, within.

The deed from Solomon Hatch to the United States, under date of September 14, 1825, referred to in the bill and in Mr. Ingersoll's affidavit, is enumerated as No. 29 of the various deeds transferring land to the United States for the Springfield Armory, as they appear on page 189 of the work, United States Military Reservations, revised edition of 1910. A copy of the deed taken from the records of the Springfield Armory is herewith.

The deed from Edward Ingersoll, referred to in his affidavit, transferring certain land to the United States, under date of May 14, 1859, appears as No. 87 of the various deeds transferring land to the United States for the Springfield Armory as they appear on page 192 of the work, United States Military Reservations, edition of 1910. A copy of the deed taken from the records of the Springfield Armory is herewith.

The land deeded by Solomon Hatch is located as stated in the deed and in the affidavit of Edward Ingersoll. It has not been used by the United States for any purpose whatever for many years. It is of no use now, and it is so located that it could not be used in the future to any advantage.

The tract of land deeded by Edward Ingersoll to the United States forms the extreme southeastern portion of the land at the water shops of the Springfield Armory, included within the boundary fence. On it are at present located an ice house and the magazine referred to in Edward Ingersoll's affidavit.

The statements given in the affidavit of Edward Ingersoll are correct so far as can be shown by the records of the Springfield Armory.

It appears that the passage of the bill in question would complete the transaction referred to in Edward Ingersoll's affidavit in accordance with the understanding had at the time, and as in addition the parcel of land in question is of no present or prospective use to the United States, passage of the bill is recommended.

It is further recommended that there be added to the bill a provision that the Secretary of War be authorized to retain possession in the name of the United States of that part of the Springfield Armory described and recorded in the deed from Edward Ingersoll to the United States, referred to in paragraph 4 above, and mentioned as received May 26, 1859, and registered in Book No. 198, page 153, Hampden County, State of Massachusetts, by James E. Russell, register.

WILLIAM CROZIER,
Brigadier General, Chief of Ordnance.

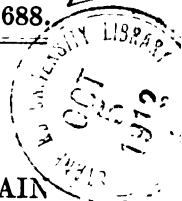
[Fifth indorsement.]

WAR DEPARTMENT, *May 6, 1912.*

Respectfully returned to the chairman Committee on Military Affairs, House of Representatives, inviting attention to the preceding indorsement hereon and to the inclosures referred to.

The department concurs in the views expressed by the Chief of Ordnance.

ROBERT SHAW OLIVER,
Assistant Secretary of War.



PENSIONS AND INCREASE OF PENSIONS TO CERTAIN
SOLDIERS AND SAILORS OF THE CIVIL WAR, ETC.

MAY 10, 1912.—Ordered to be printed.

Mr. RUSSELL, from the committee of conference, submitted the
following

CONFERENCE REPORT.

[To accompany S. 5624.]

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 5624) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain dependent relatives of such soldiers and sailors, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendment.

JOE. J. RUSSELL,
CARL C. ANDERSON,
CHARLES E. FULLER,

Managers on the part of the House.

HENRY E. BURNHAM,
W. O. BRADLEY,
ATLEE POMERENE,

Managers on the part of the Senate.

STATEMENT OF MANAGERS ON PART OF THE HOUSE.

The bill as it passed the Senate contained a provision to grant an increase of pension to \$65 per month to Henry G. Trimble, late of Company C, Third Regiment Kentucky Volunteer Infantry. This item was stricken out by the House and the bill sent to conference. The soldier is drawing a pension of \$55 per month under the general law for loss of arm at the shoulder, incurred in line of duty. It appears that he has recently had a stroke of paralysis and is now helpless, and has an aged wife dependent upon him; and while the rate allowed by the Senate is in excess of that usually allowed in such cases, yet in view of all the circumstances of this case your conferees believe they are justified in recommending that the House recede from its amendment and allow the item to remain in the bill, and so recommend.

JOE J. RUSSELL,
CARL C. ANDERSON,
CHARLES E. FULLER,

Managers on the part of the House.

C

CONSIDERATION OF H. R. 23635.



MAY 14, 1912.—Ordered to be printed.

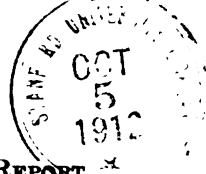
Mr. HENRY, from the Committee on Rules, submitted the following

REPORT.

[To accompany H. Res. 520.]

The Committee on Rules, to whom was referred the resolution (H. Res. 520) providing for the consideration of bill H. R. 23635, having considered the same, beg to report it back to the House with the recommendation that it be adopted.





PENSIONS AND INCREASE OF PENSIONS TO CERTAIN SOLDIERS AND SAILORS OF THE CIVIL WAR, ETC.

MAY 15, 1912.—Ordered to be printed.

Mr. RUSSELL, from the committee of conference, submitted the
following

CONFERENCE REPORT.

[To accompany H. R. 18337.]

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 18337) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 7, 10, 19, 20, 23, 27, 28, and 30.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 8, 9, 11, 12, 13, 14, 15, 16, 17, 18, 21, 22, 24, 25, 26, and 29, and agree to the same.

JOE J. RUSSELL,
CARL C. ANDERSON,
CHARLES E. FULLER,

Managers on the part of the House.

P. J. McCUMBER,
HENRY E. BURNHAM,

Managers on the part of the Senate.

STATEMENT OF THE MANAGERS ON THE PART OF THE HOUSE.

Amendments Nos. 1, 3, 4, 5, 6, 8, 9, 12, 13, 14, 15, 16, 17, 18, 21, 24, 25, 26, and 29 are amendments made to correct the record and to strike out items relating to beneficiaries who have died since the bill passed the House. In all of these cases the House recedes from its disagreement.

Amendment No. 2, Alva O. Brooks. The House passed this at \$30. The Senate reduced the amount to \$24 on the grounds that the soldier was not seriously disabled, and the House recedes.

Amendment No. 7, Richard H. Ely. The House passed the bill at \$30 per month. The Senate cut it out on the grounds that it was a second special act, the soldier receiving at the present time \$24 under an act passed a number of years ago. His physical condition is much worse, and the Senate recedes.

Amendment No. 10, Marion Finley. This item passed the House at \$36. The Senate cut it to \$24 without the additional evidence on which it was raised to \$36 on the floor of the House. It appears that soldier is suffering from a malignant cancer of the face, and the Senate recedes.

Amendment No. 11, William Miller. The House passed this at \$24 per month. The Senate cut it out on the grounds that the soldier is receiving \$12 from the Government as pension and \$21 per month from a railroad. The House recedes.

Amendment No. 19, Robert N. Barton. The House passed this at \$24 per month. The Senate cut the item from the bill on the grounds of short service. The soldier incurred disability in the service, and the Senate recedes.

Amendment No. 20, Thomas Addington. The House passed this at \$50 per month. The Senate cut it to \$36. The soldier is nearly 90 years of age and had a long service, and the Senate recedes.

Amendment No. 22, Francis J. Truesdale. The House passed this at \$30 per month. It appears that the soldier is getting a salary of \$80 per month at the present time, and therefore the Senate cut the item from the bill. The House recedes.

Amendment No. 23, John Williams. The House passed this at \$30. The Senate cut it to \$24 on the grounds of short service. Soldier is disabled, and the Senate recedes.

Amendment No. 27, John J. James. The House passed this bill at \$36 per month. The Senate cut it out on the grounds of its being a second special act. The soldier's condition is much worse than at the time the first act was passed, and the Senate recedes.

Amendment No. 28, Pulaski T. Gaither. The House passed this bill at \$30 per month. The Senate cut it to \$24 on account of short service. The Senate recedes.

Amendment No. 30, Joseph Butcher. The House passed this at \$30. The Senate cut it to \$24 on the grounds of the soldier not being wholly disabled. His condition is serious, and the Senate recedes.

JOE J. RUSSELL,
CARL C. ANDERSON,
CHARLES E. FULLER,

Managers on the part of the House.

62D CONGRESS,
2d Session.

HOUSE OF REPRESENTATIVES.

REPORT
No. 707.

PENSIONS AND INCREASE OF PENSIONS TO CERTAIN SOLDIERS AND SAILORS OF THE CIVIL WAR, ETC.

MAY 15, 1912.—Ordered to be printed.

Mr. RUSSELL, from the committee of conference, submitted the
following

CONFERENCE REPORT.

[To accompany H. R. 18955.]

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 18955) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 2, 7, 8, 9, 13, 15, 16, and 28.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 3, 4, 5, 6, 10, 11, 12, 14, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 29, 30, 31, and 32, and agree to the same.

JOE J. RUSSELL,
CARL C. ANDERSON,
CHARLES E. FULLER,

Managers on the part of the House.

P. J. McCUMBER,
HENRY E. BURNHAM,

Managers on the part of the Senate.

STATEMENT OF MANAGERS ON PART OF THE HOUSE.

Amendments Nos. 1, 4, 6, 12, 18, 22, 25, 27, 29, 31, and 32 are merely corrections and cutting out items relating to beneficiaries who have died since the bill passed the House. The House recedes from all of these.

Amendment No. 2, Lewis B. Rex. The House passed this at \$36. The Senate cut it to \$30 on the grounds that soldier was not seriously disabled. He is a very old man, and the Senate recedes.

Amendment No. 3, Wilson F. Ball. The House passed this bill at \$36. The Senate cut it to \$30 on the grounds that the soldier had some income in addition to his pension. The House recedes.

Amendment No. 5, John S. Ponce. The House passed this at \$20. The soldier was wounded in service, and the Senate raised it to \$24. The House recedes.

Amendment No. 7, Judson B. Lupton. The House passed this at \$36. The Senate cut it to \$30. The soldier is an old man and had good service. The Senate recedes.

Amendment No. 8, Mary M. Heistler. The House passed this bill at \$12 per month. The Senate cut it out on the grounds that she was a remarried widow. She was the wife of the soldier during his service, and the Senate recedes.

Amendment No. 9, Samuel E. Johnson. The House passed this at \$30. The Senate cut it to \$24 on the grounds that the soldier is not seriously disabled. The soldier had good service, and the Senate recedes.

Amendment No. 10, Nelson F. Abrams. The House passed this at \$30. The Senate cut it to \$24 on the grounds that the soldier was not seriously disabled, being rated at only \$10 in his last examination. The House recedes.

Amendment No. 11, Hosca B. Brooks. The House passed this at \$24. The soldier had a very short service at the close of the war and is getting \$15 per month. The Senate cut the item from the bill. The House recedes.

Amendment No. 13, George R. Scott. The House passed this at \$50. The Senate cut it from the bill on the grounds of its being a second special act. It appears that he is totally helpless, and the Senate recedes.

Amendment No. 14, Michael Holland. The House passed this at \$30 per month. The Senate cut the item out on the grounds of his receiving \$1,000 from the Government per year. The House recedes.

Amendment No. 15, John Bunting. The House passed this at \$36 per month. The Senate cut it to \$30 on the grounds that he did not require aid and assistance. It appears that the soldier is nearly blind and had more than three years' service. The Senate recedes.

Amendment No. 16, Adam Wolf. The House passed this at \$30. The Senate cut it to \$24 on the grounds that the soldier was not in a particularly bad physical condition. He had a long service and the Senate recedes.

Amendment No. 17, Joseph H. Kirby. The House passed this at \$36. The Senate cut it to \$30 on the grounds that the service was at the close of the war and soldier's disabilities do not confine him to his home. The House recedes.

Amendment No. 19, Merlin L. Kirby. The House passed this at \$20. The Senate raised it to \$24. The House recedes.

Amendment No. 20, Dora Stevens. The House passed this at \$12. The soldier's death was not due to service. The widow did not marry him until 1895, and the Senate cut the item from the bill. The House recedes.

Amendment No. 21, Robert Schumann. The House passed this at \$30. The Senate cut it to \$24 on the grounds that the soldier has some income and is not seriously disabled. The House recedes.

Amendment No. 23, Phillip Main. The House passed this at \$30. The Senate cut it to \$24 on the grounds that the service was short, soldier having served only about four months. The House recedes.

Amendment No. 24, Sarah Ann Williamson. The House passed this at \$20 on account of helpless child. The Senate raised it to \$24, and the House recedes.

Amendment No. 25, Darius Cook. The House passed this at \$30. The Senate cut it to \$24 on the grounds that soldier only served three months. House recedes.

Amendment No. 28, George S. Bristol. The House passed this at \$36. The Senate cut it to \$20 on the grounds of short service. The soldier received disability in the service, and the Senate recedes.

Amendment No. 30, John W. Arthur. The House passed this at \$12. The Senate cut it out on the grounds that the soldier served only 61 days. The House recedes.

JOE J. RUSSELL,
CARL C. ANDERSON,
CHARLES E. FULLER,

Managers on the part of the House.



PENSIONS AND INCREASE OF PENSIONS TO CERTAIN SOLDIERS AND SAILORS OF THE CIVIL WAR, ETC.

MAY 15, 1912.—Ordered to be printed.

Mr. RUSSELL, from the committee of conference, submitted the
following

CONFERENCE REPORT.

[To accompany H. R. 18335.]

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 18335) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 4, 5, and 18.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, and 17, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 3 and agree to the same with an amendment as follows:

In lieu of the matter inserted insert *fifty*; and the Senate agree to the same.

JOE J. RUSSELL,
CARL C. ANDERSON,
CHARLES E. FULLER,

Managers on the part of the House.

P. J. McCUMBER,
HENRY E. BURNHAM,

Managers on the part of the Senate.

STATEMENT OF MANAGERS ON PART OF THE HOUSE.

Amendments Nos. 1, 6, 8, 10, 11, 13, and 15 are amendments made by the Senate to correct the record in accordance with records of Pension Office and to strike out items relating to beneficiaries who have died since the bills passed the House, to all of which the House receded from its disagreement.

Amendment No. 2, the case of Edwin G. Owen, which passed the House at \$60 per month. The Senate cut the amount to \$50, and the House receded from its disagreement.

Amendment No. 3, the case of Martin H. Black. The House passed the bill at \$60 per month. The Senate substituted \$36 per month. The soldier had a service of more than three years. He is now disabled and practically helpless. The conferees agreed on the allowance of a rate of \$50 per month.

Amendment No. 4, the case of John H. Mohler. The House passed the bill at \$30 per month; the Senate reduced it to \$24. The Senate recedes from its amendment.

Amendment No. 5, George Smith. The House passed the bill at \$30 per month. The Senate cut it to \$24. The Senate recedes from its amendment.

Amendment No. 7, Hiram S. Kenyon. The House passed the bill at \$20 per month. After the bill was passed evidence was filed with the Senate committee showing that soldier had two services, and the Senate raised the amount to \$30 per month. The House recedes from its disagreement.

Amendment No. 9, the case of Bridget McAloon, dependent mother of Peter McAloon. The House passed this bill at \$50 per month. She is now receiving \$30 under the general law, and the Senate struck the item from the bill. The House recedes from its disagreement.

Amendment No. 12, John S. Cochrane. The House passed this bill at \$30 per month. The Senate cut it out on the grounds that the soldier is now working for the railroad at \$1.25 per day, hence he is not wholly disabled. The House recedes.

Amendment No. 14, Ellen M. De Coursey. The House passed this bill at \$20 per month. It appears that the widow is getting \$12 from the Government of the United States and \$12.50 from the city of Boston as the widow of a policeman. The Senate struck the item from the bill on the grounds that she had an income of \$24.50 per month, and the House recedes.

Amendment No. 16, Stephen D. Smith, dependent father of Franklin Smith. The House passed this at \$20 per month. The beneficiary is drawing \$12 under the general law, and the Senate struck the item from the bill on the grounds that they have repeatedly refused to grant bills to pension the dependent father of a soldier. The House recedes from its disagreement to this amendment.

Amendment No. 17, Arthur E. Gilligan. The House passed this at \$30 per month. Additional evidence filed with the Senate committee is to the effect that the soldier is physically and mentally

disabled so as to be helpless as a child and requires the aid and attendance of another person. The Senate increased the amount to \$40, and the House recedes.

Amendment No. 18, Friedrich Miller. The House passed this bill at \$30. The Senate reduced it to \$24 on the grounds of short service. Soldier incurred a grievous disability in the service, and the Senate recedes.

JOE J. RUSSELL,

CARL C. ANDERSON,

CHARLES E. FULLER,

Managers on the part of the House.



PENSIONS AND INCREASE OF PENSIONS TO CERTAIN
SOLDIERS AND SAILORS OF THE CIVIL WAR, ETC.

MAY 15, 1912.—Ordered to be printed.

Mr. RUSSELL, from the committee of conference, submitted the
following

CONFERENCE REPORT.

[To accompany H. R. 18954.]

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 18954) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 3 and 9.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 4, 5, 6, 7, 8, 10, 11, 12, 13, 14, and 15, and agree to the same.

JOE J. RUSSELL,
CARL C. ANDERSON,
CHARLES E. FULLER,

Managers on the part of the House.

P. J. McCUMBER,
HENRY E. BURNHAM,

Managers on the part of the Senate.

STATEMENT OF THE MANAGERS ON THE PART OF THE HOUSE.

Amendments Nos. 2, 6, 8, 10, 11, and 14 are merely amendments to correct the bill or to strike out the names of certain beneficiaries who have died since the bill passed the House, and the House recedes.

Amendment No. 1, Joseph L. Day. The House passed this at \$30 per month. The Senate cut the amount to \$24 on the grounds that soldier had a very short service and was not disabled by reason of that service. The House recedes.

Amendment No. 3, Levi Taylor. The House passed this at \$36 per month. The Senate cut the amount to \$24 on account of short service. Soldier incurred disability in the service, and the Senate recedes.

Amendment No. 4, Mary E. Hitchcock. The House passed this at \$20. The beneficiary is drawing \$12, and the Senate cut the item out on the grounds that she did not marry the soldier until 1883 and is not seriously disabled. The House recedes.

Amendment No. 5, James P. Nesbit. The House passed this at \$30. The Senate cut it to \$24 on the grounds of short service and soldier not receiving any disability by reason of such service. The House recedes.

Amendment No. 7, Jacob Guy. The House passed this at \$36. The Senate cut it to \$30 on account of short service, and the House recedes.

Amendment No. 9, Mary Fox, dependent mother. The House passed this at \$20, giving an increase of \$8. The Senate cut the item out on the ground that it was adverse to granting increases to dependent relatives. The beneficiary is 86 years old, and the Senate recedes.

Amendment No. 12, Edward D. Bliss, dependent father of soldier. The House passed this at \$20, giving an increase of \$8. The Senate cut it out on the grounds that he is not seriously disabled or very old. The House recedes. The beneficiary is pensioned as the father of a Spanish War soldier, and the bill really belonged to the Committee on Pensions.

Amendment No. 13, Jerome S. Pinney. The House passed this at \$30. The Senate cut the item out on the grounds that the soldier had a very short service and is receiving a salary of \$300 or \$400 per year and an annuity of \$60 in addition to his pension of \$12. The House recedes.

Amendment No. 15, William Dodds. The House passed this at \$30. The Senate cut it to \$24 on account of short service at the close of the war, and the House recedes.

JOE J. RUSSELL,
CARL C. ANDERSON,
CHARLES E. FULLER,

Managers on the part of the House.



Private Calendar No. 91.

62D CONGRESS,
2d Session.

HOUSE OF REPRESENTATIVES.

REPORT
No. 720.

PENSIONS AND INCREASE OF PENSIONS FOR CERTAIN SOLDIERS AND SAILORS OF THE REGULAR ARMY AND NAVY, ETC.

MAY 16, 1912.—Committed to the Committee of the Whole House and ordered
to be printed.

Mr. CRAGO, from the Committee on Pensions, submitted the
following

REPORT.

[To accompany H. R. 24602.]

The Committee on Pensions, to whom was referred sundry bills
granting pensions and increase of pensions for certain soldiers and
sailors of the Regular Army and Navy, etc., submit the following
report:

This bill is a substitute for the following House bills referred to
said committee:

H. R. 112. Frank Newman.
2651. Mathew M. Ledwien.
7169. Frank E. Lyman, jr.
9809. Walter A. Menges.
12430. Eliza T. Henderson.
13128. Frank W. Petmecky.
13247. William Fetterer.
14220. Ira N. Haney.
14276. Ralph A. Anderson.

H. R. 15656. Lora Sims.
16117. William F. Bauchle.
18275. Sinclair R. Boone.
21435. Bennie C. Longan.
23297. Mark E. Cooper.
23300. Isaac Smith.
23301. James M. Roberts.
23302. Henry Schwethelm.

H. R. 112. Frank Newman, of State Soldiers' Home, Ohio, during
the War with Spain, served as a sergeant in Company G, Sixth Regi-
ment Ohio Volunteer Infantry, from April 25, 1898, to April 9,
1899, when he was honorably discharged.

He applied for pension April 13, 1906, stating that at Camp
Thomas, Ga., about June 21, 1898, he was vaccinated, causing violent
illness, from which he has never recovered, but from that time has
suffered from a deranged nervous system. Also, that near the
middle of March, 1899, he suffered from an affection of both ears,
which he attributed to his deranged nervous system.

The claim was rejected May 19, 1908, on the ground that a ratable
degree of disability had not been shown since date of filing appli-
cation from disease of nervous system, and because of no medical
or other satisfactory evidence showing origin or treatment in service

of the alleged affection of ears, or that the same continued after discharge.

Reopening was denied in September, 1908.

The War Department records show the soldier 39 years of age at enlistment and no physical defects noted at that time. They contain no evidence of medical treatment during service, but it is noted on the company muster-out roll that the soldier was sick in quarters from June 21 to July 3, 1898, in line of duty.

Upon examination April 11, 1899, preliminary to discharge, the soldier stated that he had no cause of disability "except impairment of hearing in both ears," incurred "while at Chickamauga Park and Knoxville, Tenn.," cause "not known."

The commanding officer of his company, First Lieut. George W. Cunningham, certified that he knew nothing about any disability aside from the soldier's own statement, but a surgeon certified that he had thoroughly examined the soldier and found—

slight impairment of hearing of left ear; hears watch in contact and hears conversation in low tone of voice at four feet. No evidence of ulceration of external ear. The deficiency appears to be that the ear is filled with hardened cerumen. No other disability of any kind exists.

The claimant was examined by a board of surgeons at White Cloud, Mich., May 1, 1907. Height reported, 5 feet 8½ inches; weight, 180 pounds. They found no evidence of disease of nervous system, and said of the vaccination:

A very faint normal scar is discernible on upper left arm, claimed to be the sign of vaccination.

Disease of the ears: The mucous membrane of nares and pharynx is congested and granular; the lower turbinates are enlarged; the adenoid tissues coincidentally affected; the tonsils are enlarged. The left eustachian tube is impervious; the right is normal. The left tympanic membrane is lusterless and depressed, also the right one slightly so. Claimant is unable to hear ordinary conversation at 6 feet with the right ear, the left one occluded, but hears same at 4 feet and no farther under same conditions with the right ear occluded. He hears loud conversation at 2 feet, and no farther with the left ear. The external auditory apparatus is normal.

Rate ten-twentieths for severe deafness of left ear and slight of right.

An assistant surgeon stated that the soldier was sick with a fever August 29, 1898, and sent to division hospital September 1, 1898, but he had no further recollection of sickness.

The claimant's captain had no recollection of the soldier's condition in the service, except that his records showed him sick June 21 to July 3, 1898.

Eugene E. Newnan, quartermaster and claimant's brother, testified March 21, 1906, that the claimant was sick for several days the last of June, 1898; that he had been vaccinated and was hardly able to walk, and complained very much of his head aching and of severe pains in his back and down the back of his neck; that witness visited him twice daily for over a week; after that until discharge the soldier neither looked nor acted as if in health and continually complained of trouble in his head and back of neck. Also, that since August 1, 1901, the claimant has been in his employ, and most of the time unable to do a man's work; and twice he took vacations on account of nervous trouble.

Two laymen testified in 1910—affidavits filed with a bill in the Sixty-first Congress—that the soldier had been in poor health ever

since his service in the War with Spain; and D. C. McTaggart, M. D., testified February 18, 1910, that he made a physical examination of the claimant April 11, 1908, and again on the date he testified. He said the same conditions existed at the second examination that existed at the first one, only that they were more deep seated and profound; that the claimant was aged beyond his years—

nervousness and muscular tremor is more profound, power of endurance has grown less, so that when the said soldier attempts to do manual labor he breaks out in a profuse perspiration and weakens down so rapidly he is compelled to cease his efforts and sit or lay down. The chronic ulceration of nose and throat shows no tendency of improving, but has steadily progressed to a chronic state.

The witness said he could not state the cause of the claimant's condition, but, as the condition was said to have followed vaccination, it is reasonable to conclude that vaccination was the active factor, and that the disability is total now.

A. Earl Snyder, M. D., testified, August 4, 1908, that the applicant then had eczema of the external auditory canal, chronic nasal and postnasal catarrh, and an aggravated case of neurasthenia; muscular tremors present.

John U. Riggs, M. D., testified, August 11, 1908, that he had that day examined the claimant, and, after describing conditions objective and subjective, said:

I would judge this soldier to be suffering from a neurasthenic condition, and state as a result of this he is unable to perform manual labor.

In an affidavit filed with the bill the petitioner claims to be wholly disabled by swollen limbs below the knees, general nervous debility, defective hearing and eyesight, catarrh, and heart trouble; that he owns no property and has no income.

Your committee think the evidence shows this man disabled by his military service, as alleged, and they respectfully recommend the allowance of pension at the rate of \$12 per month.

H. R. 2651. Mathew M. Ledwien, of Minneapolis, Minn., was a corporal and private in Company K, Fifteenth Regiment Minnesota Volunteer Infantry, during the War with Spain, from July 2 to November 12, 1898, when he was discharged on account of disability.

He applied for pension August 1, 1904, stating that at Camp Meade, Pa., about the months of September and October, 1898, he incurred heart disease and rheumatism and their results, not specified. March 30, 1909, the claimant stated that he also contracted disease of kidneys in service.

The claim was rejected October 1, 1909, as to rheumatism and disease of kidneys because of no record or other satisfactory evidence showing origin in service and continuance from discharge of those diseases. Also because of no ratable degree of disability from disease of kidneys and on account of heart disease, because the records of the War Department show that disease of heart existed prior to enlistment. Reopening was denied in March, 1910.

The records of the War Department show the soldier 21 9/12 years of age at enlistment, and that he was treated August 3 to 5, 1898, for myalgia; August 11 to September 3, 1898, for typhoid fever; September 27 to 28, 1898, for bronchitis; October 6 and 7, for acute diarrhea; October 13 to 15, 1898, for bronchitis, and for same from

October 19 to November 14, 1898. A notation on the company muster-out roll shows:

Absent sick in Minneapolis, Minn., from August 16 to September 3, 1898, in line of duty. Sick furlough September 4 to October 3, 1898. Rejoined company at Camp Meade, Pa., September 24, 1898. Sick in quarters September 25, October 6, October 13-14, October 19-20, October 24, 25, October 31, November 3 to 12, 1898, all in line of duty.

George I. Becker, first lieutenant, commanding the company, recommended in certificate of disability for discharge, October 31, 1898, the soldier for discharge on account of heart disease, stating that the disease existed before enlistment, and that he became unfit for duty by reason of the disease named September 4, 1898; that—

This man had a severe fall some years prior to his enlistment, which resulted in a diseased condition of the heart, but the disease seemed to have been quiescent in its character, as there was no indication of any trouble when he enlisted and he thought he had outgrown it, but it now appears to incapacitate him from duty.

A surgeon certified that the soldier had—

an irritable heart. After exercise, and often at other times, he suffers from palpitation. At these times a faint systolic blowing murmur is heard at the apex; no definite transmission. Similar murmur over pulmonary area. History now given of similar trouble of milder nature before enlistment. At that time no evidence of it, nor after enlistment, till patient contracted typhoid fever. Condition aggravated in line of duty.

The claimant was examined by a board of surgeons at Minneapolis, Minn., September 14, 1904. They reported weight, 148 pounds; height, 5 feet 6 inches; pulse, 80, 86, 112; respiration, 17, 17, 19; temperature, 98 2/5. Apex heart beat seen and felt at enciform appendix. The heart is tumultuous but regular, first sound accentuated. Heart is normal as to size, position, and valvular sounds. No cyanosis, edema, or dyspnea.

Knees, right ankle, and right shoulder crepitate on motion; right ankle swollen. Walks lame in right lower extremity; otherwise all muscles, joints, and tendons normal.

Liver and spleen normal.

Urinalysis: Specific gravity 10.20, acid, no sugar, no albumen.

Lungs normal.

Rates recommended: For heart disease, four-eighteenths; for rheumatism, six-eighteenths; for dyspepsia, four-eighteenths; and for catarrh, two-eighteenths.

P. A. Aurness, M. D., testified February 8, 1898, that he treated the claimant about four years before (1904) in several attacks of articular rheumatism, complicated with rheumatism endocarditis; that he had high fever, ranging from 102 1/2° to 103 1/4° temperature for several weeks, with swollen joints, particularly the ankle joints; that the fever left him finally, but his joints were stiff and slightly swollen for several months, and that his heart has never regained its normal condition; the slightest excitement will run the pulse up to 90 or 100 beats per minute.

David D. Fenney, second lieutenant of claimant's company, testified, March 26, 1909, that the soldier "was put on sick call and in hospital for what was said to be heart trouble."

On July 29, 1909, he testified that the soldier—

first complained of pains in the legs, ankles, back, and heart about the month of August, 1898, and his disability became more serious * * * about October or November, 1898.

Adelbert D. Furman, comrade, testified May 8, 1909, that about October, 1898, or a little earlier "the soldier was troubled with rheumatism in feet and ankles," so that he could not wear his shoes, and "also know he complained of trouble in his back and chest and heart trouble," and that he thinks these troubles were brought on by sleeping on the ground covered with water.

George Thibodeau testified in August, 1909, that he and soldier were schoolmates, and enlisted together in the same company; that the soldier had rheumatism and heart trouble in October and November, 1898, and about November had camp diarrhea, and complained of rheumatism, heart troubles, and trouble in his ankles, legs, and stomach; that he knows the diseases mentioned were contracted in service from exposure. He also stated that the soldier was well and robust at enlistment.

W. A. Dennis, M. D., who signed the certificate of disability for discharge, hereinbefore quoted, testified May 5, 1909, that he remembered the soldier "was troubled during service with his feet and with the heart, both of which conditions may have rested on a rheumatic basis."

When called upon by the Commissioner of Pensions for further information as to his knowledge of the facts this witness, under date of May 21, 1909, said it was impossible for a regimental surgeon to remember individual soldiers, except in exceptional cases, and that the records of the War Department would contain all the information a surgeon would have. He gave no information about this case.

Two lay witnesses stated in May, 1909, that the claimant had had rheumatism, heart troubles, stomach trouble, and kidney disease since, for the past 9 or 10 years.

C. A. Kelsey, M. D., testified in July, 1909, that he treated the claimant about 1899 or 1900, for rheumatism.

Three lay witnesses testified in 1910 that the claimant was sound and healthy and free from rheumatism and heart disease before enlistment, and that since his service he has suffered with those diseases. Several other witnesses also stated that the claimant had had those diseases since his military service.

Three witnesses testified in affidavits filed with a bill in the Sixty-first Congress to the existence of rheumatism and heart disease since service.

In an affidavit filed with the pending bill the petitioner states that he is in part disabled by heart trouble and rheumatism; that he owns a house and lot in Minneapolis, Minn., valued at about \$2,200, with encumbrance of \$1,420, and that his income is about \$15 a week.

Your committee has fully considered this case as presented in the foregoing, and believe the petitioner is in some degree disabled as alleged. They respectfully recommend allowance of pension at the rate of \$8 per month.

H. R. 7169. Frank E. Lyman, jr., of Des Moines, Iowa, is pensioned under the general law at the rate of \$17 per month on account of malarial poisoning, gastritis, nervous affection, and disease of heart incurred while he was a first lieutenant in the Signal Corps, United States Army.

The War Department records show that the pensioner accepted an appointment as captain, Twelfth Company, Signal Corps, United

States Volunteers, June 10, 1898, and was discharged April 17, 1899; that he was appointed first lieutenant signal officer, United States Volunteers, April 17, 1899, accepted April 18, 1899, and that the appointment was vacated May 27, 1901, by acceptance of appointment as first lieutenant, Signal Corps, United States Army. The records show him appointed first lieutenant, Signal Corps, United States Army, February 2, 1901, and that he resigned March 25, 1904. His service was chiefly performed in Cuba and in the Philippine Islands, where he was December 6, 1899, to November 23, 1902.

The pension was allowed April 23, 1909, commencing October 21, 1908, on account of malarial poisoning, gastritis, and nervous affection. Heart disease was admitted as a pensioned disability June 25, 1910, from April 19, 1909, but inasmuch as no claim for increase on account of the original causes for pension was then pending no increase of disability was allowed, although the evidence then showed a degree of disability from the combined causes which entitled the pensioner to a rate of \$24 per month, as shown by memoranda by the medical officers of the Pension Bureau attached to the claim.

The last certificate of medical examination was made by a board of surgeons at Newton, Iowa, March 2, 1910. They reported the pensioner 40 years of age, 6 feet 2½ inches in height, and weighing 175 pounds, and recommended a rating of twelve-eighteenths for malarial poisoning, six-eighteenths for disease of heart, and six-eighteenths for gastritis, and from the combined causes they said he was entitled to \$24 per month.

In an affidavit executed in December, 1911, E. E. Dorr, M. D., stated that he examined the pensioner on August 31, 1910, and found him suffering with incontinence of urine, described as in a very serious and distressing condition; with enlarged prostate; in a pitiful nervous and restless state; and alternating constipation and diarrhea. Also, that four weeks' treatment only resulted in partial relief, and that on the claimant's return for treatment on September 11, 1911, the incontinence of urine had returned and irrigation of the bladder was necessary.

An examination on the date the affidavit was made showed the enlarged prostate, which the witness stated would trouble him the rest of his life.

No other evidence filed, except an affidavit by the petitioner giving a history of his claim.

The evidence in this case, in the judgment of your committee, entitles the pensioner to a higher rate than he now receives, and they respectfully recommend the allowance of pension at the rate of \$24 per month in lieu of that he is now receiving.

H. R. 9809. Walter A. Menges, of Lynchburg, Tenn., enlisted in the United States Army January 21, 1899, and was assigned to the band of the Nineteenth Regiment United States Infantry, which he joined from the recruiting station February 11, 1899. He served during the War with Spain as a private until July 14, 1899, when he was appointed corporal, which rank he held until December 19, 1901, when reduced to private, and was discharged by expiration of term of enlistment February 24, 1902. His regiment was stationed at Ponce, P. R., from February 11 to May 15, 1899; at Camp Meade, Pa., from June 7 to July 17, 1899; in the Philippine Islands from August 26,

1899, to January —, 1902; and at Angel Island, Cal., from February —, to February 24, 1902.

On March 5, 1902, the petitioner applied for pension, stating that about January, 1900, at Cebu, P. I., he contracted cold, which resulted in catarrh of the respiratory organs, partial deafness of right ear and severe deafness of left ear, and impaired vision; that at the same place, in April, 1901, he contracted malarial poisoning, affecting his digestive organs and resulting in constipation and disease of rectum, and affecting his spleen, liver, and urinary organs.

The claim was specially examined in 1905 and rejected August 14 of that year, on the ground that the alleged catarrh existed before service, disease of eyes for the same reason, and malarial poisoning and alleged results because no disability in a ratable degree was shown to exist from the date the claim was filed. Impaired hearing was the only alleged cause of disability which was found in a pensionable degree, and that was found to be a result of catarrh, which the Pension Bureau held existed before enlistment.

The War Department records show the soldier reported on the muster rolls as follows:

November and December, 1899, sick in quarters since December 29, 1899; September and October, 1901, sick in quarters since October 29, 1901.

All in line of duty.

The medical records show him treated June 8, 9, 21 to 24, August 1 to 29, 1900, for chronic bronchitis; September 14, 1900, to February 21, 1901, for chronic pharyngitis, complicated; September 28, emphysema and chronic bronchitis; April 19 to June 9, 1901, jaundice, acute, catarrhal; October 30 and 31, 1901, pharyngitis, acute; February 20 to 24, 1902, acute bronchitis—all in line of duty.

The records show the soldier 21½ years of age at enlistment, 5 feet 3½ inches in height, and—

Too light for foot service. Short arcus of right eye, slight cardiac murmur, due to anemia and indoor occupation.

Also, that his deficiency in weight and height were waived.

The claimant was examined by a board of surgeons at Lawrenceburg, Tenn., June 5, 1902. They recommended a rating of ten-thirtieths for severe deafness of left ear and slight deafness of right ear, and of two-eightieths for heart disease, and nothing for any other cause. The claimant's weight was then stated to be 115 pounds.

He was examined by an expert on diseases of the ears and eyes, at Nashville, Tenn., March 3, 1903. He reported the claimant's vision as good—20/20 in each eye—and all structures, inner and outer, of both eyes in a healthy condition. With the right ear the claimant could hear loud tone of voice at 22 feet; auditory canal free from obstruction; drum membrane imperforate and only slightly retracted; Eustachian tube open.

He could hear ordinary conversation at 4 feet, with neither ear closed, and loud conversation with left ear at 22 feet, with the right ear plugged. Auditory canal of left ear not obstructed; no perforation in drumhead; membrane slightly contracted; Eustachian tube open. Nose and nasopharynx in good condition. The surgeon also reported a valvular lesion of the heart, and said:

He is a disabled man and is said to have tuberculosis of lungs.

Weight, 105 pounds.

He was examined, on the request of the committee, August 16, 1911, by the board of surgeons at Shelbyville, Tenn. They reported his weight at 108 pounds; pulse rate, 88, 92, and 120; respiration, 22, 24, and 30; and temperature, 100. They recommended a rating of \$24, for incipient tuberculosis; spleen, stomach, and bowel troubles; and impaired hearing, and upon their report the medical referee of the Pension Bureau expressed the opinion that a rate of \$24 per month was shown from disease of lungs, nasopharyngeal catarrh, and partial deafness of both ears.

The War Department records show no sickness until November, 1899, and the first record of treatment was in June, 1900, for chronic bronchitis, and later he was treated for chronic pharyngitis. There is no evidence of treatment for catarrh, but in October, 1901, the soldier was treated for acute catarrhal jaundice.

The soldier's father and mother testified that he was in good health and free from disease of any kind at enlistment. His brother said he had a slight attack of heart trouble and fainting spell, in about 1895, which lasted only an hour or so, and that he complained of his eyes hurting when he read by gaslight, and that he never knew him to suffer from any other disability before he went into the Army. Asked if he had catarrh, the brother said:

I don't think that he ever had catarrh so as to take treatment for it. He had bad colds. Nearly three-fourths of the people here, I think, have catarrh in some form. I never noticed any symptoms of catarrh in him; but he would at times have bad colds, same as all of the people here.

A comrade who knew the soldier before service testified to the existence of the alleged disabilities—catarrh, disease of lungs and throat, and impaired hearing during service—and said:

Yes; I know that he is troubled with catarrh. That was noticeable after he first had the lung trouble; it seemed to be worse then. I never knew of his complaining of catarrh before his service. Yes; I had noticed that he had some symptoms of catarrh before he went into the Army. * * * A hacking cough and spitting; can't give any other symptoms. I never noticed his being deaf or hard of hearing before going into the Army. I never heard him complain of lung trouble before his Army service. I never noticed that he had a cough or any indication of lung trouble before he went into the Army. The only symptoms I noticed was his clearing his throat and nose before his Army service.

A witness for whom the claimant worked for three or four years preceding enlistment regarded him as sound at enlistment and knew of no symptoms of any disability before service except that one time he wore glasses for several months.

A physician who knew soldier for seven years before service, and who treated him for some heart trouble, a nervous condition due to his working in tobacco, regarded him as sound at enlistment. He examined the soldier before enlistment, on account of the "tobacco heart" to see if he could enter service. He knew of no lung, throat, or catarrhal trouble, nor that he was hard of hearing before service.

Other witnesses corroborated the record as to disabilities in service, and apparently reliable evidence shows the continuance of some of them, notably the deafness.

In an affidavit filed with the bill, the petitioner states that he was in sound, robust health, had no catarrh, so far as he knew, at enlistment; that the year before he enlisted he thought he had catarrh, because he was unable to breathe through his left nostril and the right nostril was partly obstructed. He consulted his family physi-

cian, Dr. C. E. Dutrow, who treated him and found the trouble was caused by dislocated bones and cartilages caused by a broken nose in a boxing bout a year before. The doctor removed the obstructions with an electric needle and the trouble entirely disappeared, and the doctor examined him the day he left home to enlist and told him he found no physical defect.

The physician mentioned corroborates the claimant's statement except that he says he found on the examination mentioned a nervous irritability of the heart caused by confinement and tobacco in a cigar factory.

Oliver A. Menges, M. D., states that he was intimately associated with the claimant from childhood; that they were in service together; that his health was good prior to enlistment; that he had no defect of hearing or catarrh before service, and that he contracted ill health and impaired hearing in service, which have steadily grown worse.

Other witnesses, some medical, state that the claimant was sound at enlistment; that his hearing has been poor ever since service; that his health has also been bad, and that he is poor and has three children to support.

From the foregoing your committee conclude that the petitioner is disabled in a pensionable degree from causes due to his military service, as alleged, and they respectfully recommend the allowance of pension at the rate of \$15 per month.

H. R. 12430. Eliza T. Henderson, of Greenville, S. C., is the mother of Jesse H. Henderson, who served, during the War with Spain, as a private in Company C, Forty-first Regiment, United States Volunteer Infantry, from October 6, 1899, to March 22, 1901, when he was honorably discharged. He also served as a private and corporal in Company H, First Regiment South Carolina Volunteer Infantry, from June 29, to November 10, 1898, when mustered out with the company.

The soldier applied for pension July 10, 1901, on account of malarial poisoning, chills and fever, and liver and kidney disease alleged to have been contracted in April, 1900, in the Philippine Islands. That claim was rejected because of no ratable disability from the alleged causes March 11, 1902.

He filed another claim for the same disabilities October 18, 1906, which was rejected January 6, 1908, on the ground that he was dead and no one appeared with title to complete his claim.

The mother applied for pension June 13, 1907, alleging the soldier's death on June 3, 1907, from disease of kidneys; that her husband, the soldier's father, died in 1886; that she had not remarried, and that the soldier left neither widow nor minor child surviving him. Her claim was rejected January 6, 1908, on the ground that the soldier's death from acute nephritis was not shown to be a result of his military service.

The War Department records show the soldier 27 years of age at enlistment. There is no record of treatment during the first service and no disability was claimed at discharge.

He was treated from March 21 to 27, 1900, for malarial fever; from April 27 to June 5, July 25 to August 27, September 14 to October 12, 1900, January 3 to March 17, 1901, for pernicious mala-

rial cachexia. On the last-named date he was examined at the general hospital, Presidio, San Francisco, Cal., and found convalescent and able to travel. On examination March 18, 1901, the soldier claimed no disability and a surgeon reported: "Is well nourished and of good color."

The soldier was examined by a board of surgeons at Hendersonville, N. C., October 16, 1901. Height, 5 feet 9 $\frac{1}{4}$ inches; weight, 141 pounds. The board found no evidence of malaria, kidney disease, or disease of liver. They said:

Applicant appears perfectly healthy * * * We do not find any objective sign of any disease or disability. He is of good physique, good color, muscles firm, and apparently in perfect health, and not diseased in a pensionable degree.

He was examined by a board at Greenville, S. C., March 6, 1907. Weight, 132 pounds; fairly well nourished; tongue heavily coated: last chill in summer of 1905, but has fever occasionally; skin sallow; tongue red on edges; liver area of dullness, upper border in mammary to lower border of fifth rib; lower border extends below ribs about 1 $\frac{1}{2}$ inches; spleen somewhat enlarged. Rate for malarial poisoning, ten-eighteenths. They also rated six-eighteenths for heart disease. They rated seventeen-eighteenths for kidney disease, described as follows:

Urinary analysis: Color, dark amber; reaction, acid; specific gravity, 10.24; albumen, 25 per cent; heat and nitric acid test, no sugar; no swelling of ankles, nor uremic symptoms.

Two laymen testified in June, 1901, that since discharge the soldier had an unhealthy, yellow color, and has had several chills, accompanied with fever.

Dr. W. L. Mauldin, jr., testified that he examined the soldier's blood June 19, 1901, and found "tertient intermittent fever, with cachexia," which totally disabled him for manual labor.

C. C. Jones, M. D., stated January 11, 1906, that he treated the soldier on several occasions—for rheumatism in May, 1904, when he was disabled for one month, and for malaria in 1901, just after his discharge, when he was disabled for a long time. He testified March 9, 1907, that he treated the soldier for rheumatism and malaria at different times since discharge; that he was and still is disabled at times partially and at other times wholly.

The foregoing evidence was filed in the soldier's claim.

Dr. C. C. Jones testified that the soldier died June 4, 1907; cause of death, acute nephritis.

Other witnesses testified to the motherhood of the claimant; that she was also a widow, had not remarried since the death of the soldier's father, and that the soldier was not married.

In an affidavit filed with the bill the claimant states that the soldier died June 6, 1907, of disease of kidneys, which originated in the military service; that she owns "nothing whatever" and is dependent on charity. One witness corroborates her statement.

From the foregoing history your committee think the soldier's death is shown to have resulted from his military service, and they recommend the allowance of pension at the rate of \$12 per month.

H. R. 13128. Frank W. Petmecky, of Menard, Tex., is pensioned under the general law—the acts of July 27, 1892, and May 30, 1908—at the rate of \$8 per month as a private in Capt. G. H. Nelson's com-

pany, Texas Volunteers, in which he served in defense of the frontier of Texas against Mexican marauders and Indian depredations from October 10 to December 19, 1857.

It appears from the pensioner's statements in his pension claim that he was born February 14, 1824, and is now, as he claims to be, 78 years of age. He states in an affidavit filed with the bill that he owns no property, has no income except his pension of \$96 a year, and \$15 earned by the little labor he is able to perform, and that, by reason of age and attendant physical infirmities, he is incapacitated from earning a support by manual labor.

Two witnesses corroborate the pensioner's statement.

In view of the pensioner's advanced age, physical infirmities, and lack of means, and in accordance with precedent in similar cases of survivors of the early Indian wars, your committee respectfully recommend the allowance of pension at the rate of \$16 per month in lieu of that he is now receiving.

H. R. 13247. William Fetterer, of Soldiers' Home, Washington, D. C., is pensioned under the general law at the rate of \$12 per month on account of gunshot wound of right breast, received while a private in Company K, Fourth Regiment United States Infantry, in which he served from March 19, 1855, to February 20, 1856, when discharged on account of disability, the wound for which pensioned. The certificate of disability shows:

Gunshot wound. Rifle ball entered his right breast in the subclavian region, passed through the axillary space, cutting all the nerves supplying the hand and arm, and passed out through the shoulder, rendering the right arm powerless.

The original pension was allowed April 23, 1856, at \$8 per month from February 21, 1856. The rate was reduced to \$5 from September 4, 1865; increased to \$8 from April 8, 1874; reduced to \$6 from October 27, 1892; increased to \$12 from September 8, 1897; and twice since that date, the last time April 4, 1912, claims for increase have been rejected.

The medical examination on which the last action was based was made by a board of surgeons at Washington, D. C., March 8, 1912. The board reported the pensioner 78 years of age, 5 feet 8½ inches in height and 202 pounds in weight. Of the wound they said:

Ball entered chest anteriorly about 2 inches below center of right clavicle and, passing outward, made exit posteriorly 1 inch above and 1 inch outside top of axillary fold. Scar entrance 1 by ½ inch depressed, adherent and dragging, oval in shape; scar of exit irregular, ½ by ½ superficial; both scars well healed, but tender, he claims. Missile in its course probably injured some branches of the tracheal flexus of nerves, as he complains of a stinging and burning sensation in upper arm constantly present. The large superficial veins of upper arm all dilated and tortuous, especially the basilic, which assumes a baggy appearance when arm is flexed.

The right hand is markedly cyanotic and puffer and is very cold to the touch. He is unable to raise arm from side more than 60° and can not fully extend arm at elbow. Power of grasp is weakened about one-half. No atrophy of muscles. In the opinion of the board the missile did not enter the chest cavity. Rate, seventeen-eighteenths.

Chest expansion 43 to 47, normal. Heart, normal.

In an affidavit accompanying the bill the petitioner states that he is wholly disabled by his wound of breast; that he owns no property. He does not say what his income is.

Two physicians testified February 1, 1912, that the pensioner has—partial ankylosis of right shoulder joint, with marked limitation in movement of said joint, both on active and passive manipulation; severe pain on movement of joint, both active and passive. Slight atrophy of muscles of shoulder joint. Scar on anterior surface of chest in third interspace just inside nipple line, also on posterior surface of shoulder about 2 inches above axillary space, said to be due to gunshot wound. This injury to joint and brachial nerve plexus makes right upper extremity nearly useless.

Your committee think the evidence in this case shows the pensioner entitled to a higher rate than he now receives. They respectfully recommend the allowance of pension at the rate of \$17 per month in lieu of that he is now receiving.

H. R. 14220. Ira N. Haney, of Schenectady, N. Y., during the War with Spain, was a private in Company C, First Regiment New York Volunteer Infantry, from May 14, 1898, to February 25, 1899, when mustered out with the company.

He applied for pension July 31, 1905, alleging that he contracted disease of kidneys, muscular rheumatism, and impaired vision in service.

The claim was rejected August 8, 1908, because of no disability since application from disease of kidneys; for rheumatism, because of no record, or evidence of medical treatment, or other satisfactory evidence or origin in service; and for impaired vision for the reason that there was no record or other satisfactory evidence of origin in service.

The claim was reopened and specially examined in 1909 and again rejected October 25, 1909, because of no disability from disease of kidneys and because the evidence failed to show origin in service or continuance from discharge of rheumatism or disease of eyes.

The War Department records show the soldier 44 years of age at enlistment. It is noted on the company muster-out roll that the soldier was sick in quarters June 22 to 26 and from June 29 to July 22; sick in hospital September 27 to 30; sick in quarters November 7 to 11, 1898; and on furlough from December 26, 1898, to February 25, 1899.

The medical records show him treated from June 22 to 26 for acute indigestion; from June 30 to July 2 and from September 27 to 30, 1898, for acute diarrhea. No physical defects were noted at enlistment.

Upon examination for discharge, February 8, 1899, the soldier claimed to have muscular rheumatism of back, contracted in June, 1898, at Fort Wadsworth, N. Y., by exposure to rain. His captain said he had no knowledge of it except from the soldier's statement, and a surgeon certified that he then had "dry pharyngitis; slight catarrhal affection of both eyes," producing no disability.

The claimant was examined by a board of surgeons at Schenectady, N. Y., May 13, 1908. They reported: Age, 55 years; height, 5 feet 5½ inches; and weight, 191 pounds.

They found no evidence of kidney disease. Rheumatic—

Creptitation present in both shoulders, elbow and knee joints, and slight evidence of rheumatoid arthritis in joints of the fingers.

Rate, two-eightieths.

Impaired vision they rated at six-eighteenths, and said:

No trachema, blepharitis, or pterygium; no trichiasis, ectropion, or entropion; no opacities or pannus; pupils of average normal size and respond to light and shade. No synechia. Acuity of vision in each eye is 3/70 and can not be improved by glasses.

The evidence obtained by special examination is voluminous, nearly 100 pages. Summarized, it is to the following effect: There was no evidence to show prior unsoundness, except one witness stated that the soldier was somewhat lame at times before service and sometimes used a cane. The preponderance of the evidence is that he was sound, except that some comrades stated that he wore nose glasses when reading while in service. He stated that he never wore glasses until after he came home from service.

The regimental surgeon testified that he was sure he treated the soldier for rheumatism in service, but could not remember the details, nor when or where, except that he thought it was a short time before they came home.

The claimant's captain could not recall any eye trouble or rheumatism in service, but remembered that the soldier frequently complained of diarrhea. He said the soldier had a long list of complaints when examined for discharge; did not remember what they were, but thought rheumatism was one of them, as was also disease of heart and piles, and so many others that he could not recall them. He said:

I recall that Dr. Colbert, the examining surgeon, told me not to let any other men in, and that he gave Haney a very careful examination; perhaps the doctor was near a half hour in examining Haney. My recollection is that about all the disability the doctor found was that Haney was suffering with a cold or something of the kind.

The soldier claims that his eye trouble resulted from a strain from lifting.

Comrades testified that the soldier complained a great deal during service of different ailments—dysentery, of not being able to see well, of rheumatism, cramps in stomach, headaches, of having strained himself lifting a tent floor, of his back from strain; some stated that he was frequently on sick report, and others said his complaints were so frequent and continuous as to cause comment and jest.

He was fitted with glasses, as shown by record of the oculist, April 28, 1906.

As to condition after discharge the evidence shows clearly that the claimant has had rheumatism quite severely of recent years, and that he has complained of it and of his eyes ever since service. The witnesses testify in general terms covering the period from discharge, and the preponderance of the evidence indicates that both eye trouble and rheumatism have existed all the time, or to have been simulated. Some describe symptoms, but for the first few years after discharge the evidence relates to complaints and apparent disability.

In an affidavit filed with the bill the petitioner states that he is wholly disabled by paralysis, owns no property, and has no income.

Medical testimony shows him totally disabled for the past year by paralysis of one arm and one leg.

Other evidence shows inability for manual labor and no means of support.

The evidence in this case convinces your committee that the petitioner is disabled as alleged, and they respectfully recommend the allowance of pension at the rate of \$12 per month.

H. R. 14276. Ralph A. Anderson, of Lancaster, Pa., during the War with Spain, served as a private in Company L, Fourth Regiment Pennsylvania Volunteer Infantry, from June 30 to November 16, 1898, when mustered out with the company.

He applied for a pension March 23, 1904, stating that at Chickamauga, Ga., on or about July 15, 1898—

whilst on guard duty and patrolling his beat, fell over a root of a tree, fracturing the kneecap of his left leg and rupturing two of the blood vessels on the left leg.

The claim was rejected April 27, 1904, on the ground that the affection of left leg and knee is not due to military service but to causes existing prior to his enlistment, as shown by the records of the War Department.

Reopening has since been twice denied.

The War Department records show the soldier 25 years of age at enlistment and that he had "varicose veins; not sufficient to reject for military service." There is no record of treatment for any cause during service, but it is noted on the company muster-out roll that he was sick July 10 to August 15, 1898, and in hospital from August 16 to —.

Upon examination, November 10, 1898, preliminary to discharge, the soldier claimed to have "weakness of left knee and varicose veins," incurred July 10, 1898, at Chickamauga Park, Ga. His captain corroborated the statement. The examining surgeon stated that:

On July 10, 1898, while on guard, accidentally injured left leg, followed by swelling. Complains now of weakness of left knee and pain after long walking. Examination shows marked varicosity of veins on posterior aspect of knee (left). Examination of knee joint shows nothing abnormal. Tendency to varicosity of veins of right leg.

He also stated that the disability, in his opinion, originated in line of duty and that the varicose veins were probably permanent; but he did not think the knee condition permanent. Disability about one-fourth.

A special board of surgeons reported that:

The varicose condition of veins existing in both legs undoubtedly existed prior to enlistment. Weakness of left knee is probably due to the bunch of varicose veins behind the knee. No evidence of any injury to knee joint. With use of elastic stocking the disability should be slight—not over one-eighth.

No medical examination was made in the pension claim.

The first lieutenant of the soldier's company testified, October 9, 1911, that the soldier was in good health at enlistment; that he hurt his right knee by falling over a root, as alleged; that he was never after that able for duty; and that now he can not get about without crutches.

A sergeant of the company testified at the same time that, about the middle of July, 1898, the soldier was brought into camp "with a wounded leg" and was unable after that for duty.

Another comrade testified, September 16, 1911, that the soldier fell over a stump and broke his kneecap; that he was on the next post to the soldier when it happened, and that the soldier has been crippled ever since.

Still another comrade made a similar statement at the same time. Neither witness said he saw the injury received.

In an affidavit filed with the bill the petitioner states that he is wholly disabled by injury to right knee; that he owns no property and has no income.

Two laymen testify that the claimant is not able to do any work on account of his crippled condition, and that he and his three children are dependent on his wife, who earns by washing all that they have to live on.

S. M. Lingenfelter, M. D., testified, March 5, 1912, that the petitioner—

Has been a patient of mine for two years and is permanently disabled by being a sufferer of (from) locomotor ataxia. He is unable to perform any kind of work and is totally disabled.

Your committee are convinced by the evidence in this case that the petitioner is disabled as a result of his military service, as alleged, and they respectfully recommend the allowance of pension at the rate of \$15 per month.

H. R. 15656. Lora Sims, of Marionville, Mo., is the widow of William W. Sims, who served during the War with Spain as a private in Company H, Fifth Regiment Missouri Volunteer Infantry, from May 17 to November 9, 1898, when he was mustered out with the company.

The soldier applied for pension March 3, 1904, stating that he contracted malaria and rheumatism at Chickamauga, Ga., in July, 1898, and that stomach or liver trouble and catarrh have resulted from the malaria.

June 26, 1908, he alleged that he incurred disease of urinary organs, kidney, and bladder, albuminaria, malarial poisoning, and disease of stomach and bowels in August, 1898.

The claim was rejected January 10, 1905, because a ratable degree of disability was not shown since date of application from malarial poisoning, disease of liver, and catarrh of stomach, and because the evidence failed to show the incurrence of rheumatism in service, or that it existed at discharge.

It was rejected May 2, 1908, because of no ratable disability from malarial poisoning, disease of liver, stomach, and bowels.

The soldier was 23½ years of age at enlistment, 5 feet 7½ inches in height. The War Department records show him treated, July 22, without diagnosis; ———, 1898, for intermittent malaria and diarrhea; August 7 to 26 for intermittent malarial fever, tertian, in line of duty, and on sick furlough to September 23, 1898.

Upon examination preliminary to discharge the soldier claimed, October 25, 1898, to have diarrhea and lung trouble, the former incurred July 1, and the latter August 1, 1898, at Camp Thomas, Ga. His commanding officer, first lieutenant, disclaimed any knowledge of any disability, and a surgeon certified that "he claims to have diarrhea and lung trouble. No evidence of either."

A special board of surgeons then examined him and certified that "claimant has a good physique with absolutely no indication of any disability."

W. E. Buchanan, comrade, testified, in April, 1904, that the soldier had rheumatism or diarrhea in service and was sent to hospital and

was said to have typho-malarial fever and was not able for duty afterwards.

R. D. Payne, comrade, testified at the same time that the soldier was sick and sent to hospital; thinks he complained of rheumatism.

Manly Wren, captain, stated, also, in April, 1904, that the soldier was sick a considerable part of the time and had typhoid fever and was sent home. He also said the soldier had diarrhea before he had the fever.

The soldier's father and mother testified, in May, 1904, that he had rheumatism, malaria, and stomach and liver trouble when he came home; that he was treated for rheumatism in December, 1898, and January, 1899, and in the spring of 1900, and that the rheumatism still continues.

H. L. Cottingham testified in November, 1907, that he had been furnishing the soldier for two and a half or three years with medicine for rheumatism and liver and kidney trouble.

Other witnesses, laymen, testified in general terms to the existence of rheumatism, malaria, and stomach trouble after service.

W. M. Holmes, M. D., testified, February 27, 1904, that he had been the soldier's family physician since 1893, except for a short time he was in Texas; that he was physically sound before enlistment; that he prescribed for him when home on furlough, but had no record; that he prescribed for him July 13, 1901, on his return from Texas, for malaria which developed into catarrhal jaundice; that he made several visits to October 10, 1904, and prescribed for rheumatism January 24, 26, 27, and 28, and February 3 and 10, 1903; the trouble was in the knees and ankles; that he visited the patient February 9, 1904, when he had rheumatism.

A. H. Madry, M. D., testified, February 6, 1908, that some months previous he had examined the claimant's urine and found it loaded with albumen, and had treated him since at intervals. The specific gravity of the urine was 10.12 on the date the affidavit was made.

J. E. Runyan, comrade, stated, in March, 1905, that the soldier had rheumatism at Chickamauga, Ga., also typhoid fever, and since service the affiant had seen the claimant several times and he was complaining, and his appearance indicated poor health.

The claimant was examined April 6, 1904, by a board of surgeons at Mount Vernon, Mo. They reported his age as 29 years, height 5 feet 7½ inches, and weight 159 pounds; as rather pale, sallow, and poorly nourished; muscles well developed but soft. They said he gave a history of malarial fever in service and of a long siege of fever two years ago (1902), and of having had a chill or two, one year ago (1903). They found general rheumatism, and rated 12/18 for it. They found no evidence of malaria, and rated for disease of digestive organs. Liver and spleen were reported normal. Specific gravity of urine 10.15, amber acid, no sugar or albumen.

He was examined by a board at Galena, Mo., November 6, 1907. That board reported his weight as 165 pounds. They reported heart and lungs normal, and said:

There is tenderness of outer aspect of humerus at about insertion of deltoid muscle. Tenderness and slight limitation of motion of right hip. Rate 4/18.

He is not now having malarial fever. Last attack was in the spring of 1906. Says he has had several attacks of chills since he came out of the Army. * * * Skin has a yellowish tinge. Spleen is tender on pressure and enlarged about one-half. Tongue furred. Rate 6/18. Tenderness of stomach

and bowels. Bowels are tympanitic. Rectum is sensitive. No hemorrhoidal tumors. Rate 4/18. Specific gravity of urine 10.10. Color normal, acid reaction; no sugar; albumen distinct trace.

They also reported:

We did not find any appreciable enlargement of the liver.

The soldier died December 4, 1908, and on January 22, 1909, the widow applied for pension. She was married to the soldier July 10, 1902, and has three minor children by the soldier. The claim was rejected April 29, 1910, on the ground that the soldier's death from Bright's disease was not shown to be due to his military service, there being no record, medical or other satisfactory evidence, of the origin of the fatal disease in the military service.

Lay witnesses testified that after the soldier returned from the Army, and afterwards, he was in bad health, had a bad color, and complained of stomach and liver trouble and malaria.

Dr. W. M. Holmes testified January 28, 1909, substantially as in his former affidavits, and also that he examined the soldier November 1, 1908, and his diagnosis then was chronic parenchymatous nephritis. Specific gravity of urine 10.10 and very albuminous; that on November 15, 1908, he had more albumen; that he was called to see him the day he died, but affiant did not arrive at his house until after he was dead. In another affidavit, made in April, 1909, this witness said the death cause was—

Bright's disease, which I think was a sequence of the attack of catarrhal jaundice which he had when I treated him soon after he was discharged.

In an affidavit accompanying the bill the claimant says she owns no property except household goods worth \$50, and no income other than her daily labor. Her statements are corroborated.

Dr. Holmes again testified to facts set forth in former affidavits.

The evidence in this case convinces your committee that the soldier's death was due to his military service. They respectfully recommend the allowance of pension at the rate of \$12 per month, with \$2 per month additional on account of each of the three minor children of the soldier until they respectively reach the age of 16 years.

H. R. 16117. William F. Bauchle, of Beloit, Wis., during the War with Spain was a private in the Hospital Corps, United States Army, from July 25, 1898, to May 8, 1899, when discharged by reason of the close of the war.

He applied for pension February 6, 1907, on account of chronic constipation, a result of typhoid fever, disease of kidneys and uric acid poisoning, results of yellow fever and catarrh.

The claim was rejected in January, 1909, after special examination, on the ground of no record of catarrh or other satisfactory evidence of service origin; for constipation, disease of kidneys and uric acid poisoning, because of no record or other satisfactory evidence of service origin or continuance from discharge, and also because a ratable degree of disability since date of application had not been shown from constipation, disease of kidneys and uric acid poisoning.

Reopening was twice denied, and, on appeal from the rejection as to catarrh, the Assistant Secretary of the Interior, on August 18, 1909, affirmed that action.

The War Department records show the soldier 21 years and 9 months of age at enlistment, and that he then had "atrophy and varicocele, left testicle." The medical records show him treated from September 19 to October 7, 1898, for typhoid fever; December 30, 1898, to January 31, 1899, for yellow fever. He was on sick furlough from October 8 to November 6, 1898.

The claimant was examined by a board of surgeons at Janesville, Wis., May 1, 1907. Height, 5 feet 6 inches; weight, 125 pounds. As to typhoid fever the board said:

Skin is sallow and body emaciated; stomach is distended with gas and tender on percussion; abdomen is retracted; there is marked tenderness over the small intestines and in the ileocecal region; ascending colon distended with gas; young man's general appearance is unhealthy. Rectum: One external pile one-half inch in diameter and an ulcer one-half inch in diameter at anal margin; rectal mucous membrane is engorged. Rate, six-eighteenths.

They found no objective evidence of constipation, yellow fever, disease of kidneys or uric acid poisoning.

Of catarrh they said:

Has nasopharyngeal catarrh, mucous membrane inflamed and granulated; uvula edematous; no deafness. Rate, three-eighteenths.

Lay witnesses testified that the claimant had nasopharyngeal catarrh, constipation, kidney trouble, and a rheumatic condition of the back and hips after service, covering a very considerable period of the time from discharge to 1909.

Two comrades testified, in March, 1909, that the soldier had yellow fever in January, 1898, followed by kidney trouble, constipation, and catarrh of nose and throat.

A physician stated, in August, 1908, that he had no record of treatment, but that the claimant had for the past six or seven years had kidney disturbances, catarrh of head, and constipation.

Another said, in June, 1908, that he had no record prior to January, 1908, but for two years preceding the date of his deposition the claimant had a rheumatic condition of the back and hips, constipation, kidney trouble, and nasopharyngeal catarrh.

Another physician testified that he examined the claimant April 13, 1909, and found him suffering with catarrh, constipation, rheumatism, and that the catarrh and rheumatism were progressive.

In affidavits filed with the bill the petitioner states that he owns a small lot, assessed at \$100; has a wife to support; and that he receives an income of \$50 per month as a clerk in the office of his father-in-law; that he could not earn that much elsewhere; and that he is not able to perform hard manual labor.

Witnesses corroborate his statement as to his physical and financial condition.

One physician testifies that he prescribed for the claimant for over a year—time not stated—for kidney trouble, malarial conditions, and constipation, and also for recurrent typhoid fever, and that he was greatly afflicted.

Another states that he has treated the petitioner at various times—not specified—for malaria, rheumatism, and catarrh of nose, throat, and stomach in an advanced stage.

Still another testifies to treatment during the last six months for recurrent typhoid fever, malarial conditions, and for catarrh of nose, throat, and stomach.

From the foregoing history of this case, your committee think the petitioner is disabled by his alleged disabilities of service origin, and they respectfully recommend the allowance of pension at the rate of \$12 per month.

H. R. 18275. Sinclair R. Boone, of Columbia, S. C., during the War with Spain, served as a private in Company I, Second Regiment South Carolina Volunteer Infantry, from July 28 to December 28, 1898, when honorably discharged.

He applied for pension June 13, 1900, stating that at Columbia, S. C., about August 7, 1898, he received an injury—"finger was injured by a knife while carving beef to cook for soldiers."

The claim was rejected May 24, 1901, on the ground that a ratable disability had not been shown since date of application from injury of left index finger.

The War Department records show the soldier 18 years of age at enlistment and that he was treated from October 4 to 6, 1898, for "infected wound left forefinger; cut finger while cutting bread in company kitchen in line of duty."

The following notation is made on the company muster-out roll, dated April 19, 1899:

August 31, 1898: Sick in hospital; blood poison in hand; occurred in line of duty; went in hospital August 29, 1898. October 31, 1898: Returned from sick leave September 30; still unfit for duty; result of blood poisoning in left hand, August 24, while assisting company cook in line of duty.

He was subsequently treated for other causes of disability.

The claimant was examined by a board of surgeons at Charleston, S. C., October 24, 1900. They said:

He has injury to finger. He has a penetrating wound in index finger, middle joint. The scar is slight; is tender; not adherent or dragging. There is complete ankylosis of this joint. Rate, four-eighteenths.

No evidence was filed in the Pension Bureau in support of the claim. No evidence has been filed with the pending bill. The petitioner states in an affidavit executed April 3, 1912, that he is partially disabled by the alleged injured finger; that he owns no property, and has no income except a "monthly salary as policeman when employed." Amount of salary not stated.

It appears from the testimony of two witnesses filed with a bill in the Sixty-first Congress that the petitioner is without property, and a physician then, February 4, 1911, stated that the claimant was—unable to do manual labor with his left hand, due to injury to index finger, which causes permanent stiffness, with atrophy. The hand is injured in such way it may be necessary for an amputation at any time, especially if further trouble exists.

The evidence in this case convinces your committee that the petitioner has a ratable degree of disability contracted in the military service, and they respectfully recommend the allowance of pension at the rate of \$12 per month.

H. R. 21435. Bennie C. Longan, of Isabel, S. Dak., served during the War with Spain as a private in Company K, Second Regiment Ohio Volunteer Infantry, from April 25, 1898, to February 10, 1899, when mustered out with the company.

On September 15, 1899, he applied for pension on account of typhoid fever, piles, disease of stomach, and rheumatism, alleged to be due to exposure in service.

The claim was rejected October 1, 1902, on the ground that a ratable disability was not shown from rheumatism and effects of typhoid fever, and because disease of stomach and piles were not shown due to service.

Reopening has been denied six times, and twice, the last time April 28, 1910, the Assistant Secretary has affirmed the bureau actions.

The soldier was 24 years old at enlistment, and during service he was treated October 22, 1898, to ———, for malarial fever; from October 31, to November 20, 1898, for typhoid fever, complicated with relapse; and from November 21, 1898, to January 24, 1899, for typhoid fever. No physical defect was noted at enlistment.

At discharge he claimed to have "stomach trouble," contracted in October, 1898. A surgeon certified that upon examination he found no disability. The soldier had the privilege of then being examined by a board of surgeons, but stated:

I hereby waive the right to reexamination and entirely acquiesce in the findings of the medical officer in my case.

When examined by a board of surgeons August 22, 1900, he was reported 5 feet 5½ inches in height and as weighing 122 pounds. They rated 4/18 for typhoid fever, saying he was pale, anemic, poorly nourished, and unhealthy in appearance, weak and nervous. They found two external and three internal pile tumors, rated at 4/18. Of the stomach they said he was sensitive over stomach and bowels, abdomen bloated and tympanitic, no enlargement or atrophy of liver or spleen, rate 2/18. No evidence of rheumatism.

He was examined by another board August 27, 1902. Weight, 123 pounds. They reported tongue fissured and slightly furred, skin moist and clammy, circulation torpid, stomach tender and somewhat enlarged, several small pile tumors, ulcerated patches on mucous membrane of bowel. No objective sign of rheumatism. Heart's action regular but not strong, apex beat 2 inches below and three-fourths inch to right of left nipple. No vicious habits.

Comrades testify that the soldier had stomach trouble, piles, and rheumatism in service; also typhoid fever. A lieutenant stated that he had typhoid fever and afterward complained of piles. The claimant's captain said he had typhoid fever and was not afterwards fit for duty.

Two physicians stated that the soldier was, in their opinion, based on personal knowledge of his condition, free from any chronic ailment at enlistment; that they had treated him before service for slight bilious attacks, to which he was predisposed, but that it was acute and not chronic; that he did not have chills and fever, though in the spring and fall he would be in a malarious condition, incident to his locality; that the bilious attacks would last but a day or two with sick headache as a symptom, and constipation resulting from a torpid liver; that when he came home from the Army he was suffering from typhoid fever, and that he had piles, stomach trouble, and rheumatism ever since.

Two other physicians testified to continuance of rheumatism, piles, and stomach trouble from discharge, and one of them fixed the degree of disability as two-thirds.

The petitioner states in an affidavit filed with the bill that he has no income except what he can earn; that he has a wife and three children, and that he has been under medical treatment at intervals ever since his military service ended.

Laymen testify in corroboration of the petitioner's statement, and a physician reiterates his former testimony as to continuance of the alleged disabilities from discharge, and estimates the degree of disability at three-fourths.

Another physician states that he treated the petitioner in September, 1910, for external and internal bleeding piles, constipation, stomach trouble, and ulceration of bowels; also that he has treated him for rheumatism of arms, legs, and shoulders; that he has treated him most of the time since September, 1910, with no apparent relief; that he is pallid, weak, and nervous, and suffers continually from pains and distress in stomach and bowels, rectum, and from rheumatism.

Two laymen testify that the petitioner has a homestead of 160 acres, appraised by the Government at \$2.50 per acre, but which he has not paid, with a house thereon worth about \$500; that he has never raised anything on the place; that he has a cow worth about \$35 and chickens worth \$5; that he has no income and has not been able to work to amount to anything for a year; has not earned more than \$30 or \$35 in that period; that he is worthy, in need of assistance, and has a good-sized family.

The history of this case convinces your committee that the petitioner is disabled as a result of his military service, as alleged, and they respectfully recommend the allowance of pension at the rate of \$12 per month.

H. R. 23297. Mark E. Cooper, of Lawrenceville, Ga., during the War with Spain served as a private in Battery E, Second Regiment United States Artillery, from July 24 to September 16, 1900, when discharged by way of favor upon his own application.

He applied for pension November 24, 1900, on account of fracture of left forearm and hand, received at Augusta, Ga., July 26, 1900, caused accidentally by a railroad car passing over the arm and hand.

The claim was specially examined to determine the circumstances under which the injury was sustained, and it was rejected September 23, 1902, on the ground that the alleged disability was not incurred in line of duty, as shown by evidence and the records of the War Department.

The War Department records show the soldier enlisted at Nashville, Tenn., at the age of 23½ years; that he joined the battery August 29, 1900, at Snellville, Ga.; that he was treated from August 29 to September 16, 1900, for "compound comminuted fracture left forearm and hand, in line of duty."

The records show, also, that—

In his application for discharge, dated Snellville, Gwinnett County, Ga., August 20, 1900, the soldier stated that while he was en route from Nashville, Tenn., to join his battery at Fort Fremont, S. C., his left arm and wrist were injured by falling while attempting to board the train at Augusta, Ga.; that he was treated in the city hospital at that place for 16 days and then went to his home at Snellville, Ga., from which place he joined his battery on August 29, 1900.

The postmaster at Snellville, Ga., was requested by this office to verify the soldier's statement, and he replied that, so far as he could learn, the particulars of the occurrence as stated by the soldier were correct.

The records of the city hospital of Augusta, Ga., show the soldier treated there July 26 to August 11, 1900, for "mashed hand."

The claimant states that the train he had to board at Augusta was reported to him, on inquiry, to start in about 20 minutes, and he sat down under the train shed to wait a few minutes before getting aboard; that while sitting there, and only two or three minutes later, the train moved, whereupon he hurriedly started for the car, and in doing so caught his foot on a truck and was pitched forward and under the moving car, and in getting his body out from under the car the car wheel passed over his left hand.

Several witnesses stated that they saw the soldier lying at the side of the car, but only one could be found who claimed to know just how he got there. That one said that when the conductor called "All aboard," the soldier jumped up from where he was sitting on a truck about 5 feet from the train and—

his feet or his pants caught in the brace of the truck, and he tried to catch at the handrail of the car, but fell with his head across the rails. He then threw out his right hand and saved his head, but the wheel rolled over his left hand. I saw the wheel run over his hand. I saw him when he fell.

That testimony was taken by the railroad company in its investigation of the accident.

There was no suspicion that the soldier was intoxicated at the time of the accident, and his traveling companion, a comrade who was in the car at the time and who had been with him for several hours immediately preceding, testified that he was not intoxicated and had not drank more than two glasses of beer during the day.

The railroad company paid the expenses of the soldier while in the city hospital.

Upon medical examination by a board of surgeons at Atlanta, Ga., February 20, 1901, it was disclosed that the radius had been fractured at middle third, with resulting deformity, atrophy of all muscles below the wrist, with decreased sensibility, partial ankylosis of thumb, inability to flex index and little fingers, palmar muscles atrophied. The board said the disability was due to injury to trunks of the ulnar and median nerves at the wrist joint, and that the use of the hand was practically nil. Rate, fifteen-eightieths.

In an affidavit filed with the bill the petitioner claims to be partially disabled by his injured left forearm, and states that he owns no real estate or personal property and that his income is about \$100 a year.

Lay witnesses corroborate his statement relative to lack of property, and a physician testifies that the claimant's left hand is of little use to him.

Upon full consideration of the evidence your committee believe the soldier was in line of duty when injured in service, and they respectfully recommend the allowance of pension at the rate of \$12 per month.

H. R. 23300. Isaac Smith, of Austin, Tex., is pensioned under the general law, acts of July 27, 1892, and June 27, 1902, at the rate of \$8 per month as a private in Company C, Fifth Regiment, United States Infantry, on account of service in the Texas and New Mexico

Indian War. He enlisted December 4, 1848, and was honorably discharged December 4, 1853.

The War Department records show the soldier 23 years of age at enlistment, which would make his age now about 87 years, though he states that he was born June 24, 1829, and that he is now 82 years of age. He also states in an affidavit filed with the bill that he is wholly disabled by age and attendant physical infirmities; that he owns no property of any kind and has no income except his pension of \$96 a year.

Witnesses corroborate his statement as to his financial condition.

On account of the evident physical inability of the pensioner to earn a living by manual labor, his lack of means of support, and in accordance with precedent in similar cases of survivors of the early Indian wars, your committee respectfully recommend the allowance of pension at the rate of \$16 per month in lieu of that he is now receiving.

H. R. 23301. James M. Roberts, of Gallup, N. Mex., is pensioned under the general law, acts of July 27, 1892, and June 27, 1902, at the rate of \$8 per month on account of service in Capt. J. S. Ford's company, Texas Mounted Volunteers, from February 24 to September 23, 1850, in the Texas and New Mexico Indian War.

The pension commenced June 27, 1902.

The pensioner was born June 2, 1833, and is now nearly 79 years of age. Evidence filed with the bill shows that he is without real estate or personal property except three cows and two calves, and that his income is limited to his pension.

In accordance with precedent in cases of survivors of the early Indian wars, and in view of the age and consequent infirmities of the pensioner, your committee respectfully recommend the allowance of pension at the rate of \$16 per month in lieu of that he is now receiving.

H. R. 23302. Henry Schwethelm, of Kerrville, Tex., is pensioned under the general law, the act of July 27, 1892, as amended by the act of May 30, 1908, at the rate of \$8 per month, as a private in Capt. G. H. Nelson's company, Texas Volunteers, in defense of the frontier of Texas against Mexican marauders and Indian depredations, from October 10 to December 28, 1857. The pension was allowed May 21, 1909, and commenced May 30, 1908. The rate, \$8, is the only rate of pension provided for under the general law.

The pensioner applied for pension September 5, 1890, under the act of June 27, 1890, on account of service as a private and bugler in Company A, First Regiment Texas Volunteer Cavalry, from October 27, 1862, to June 25, 1864, when he deserted. That claim was rejected in November, 1892, on the ground that the soldier had not been honorably discharged. An application for the removal of the charge of desertion and for an honorable discharge was denied by the War Department. The War Department records show the soldier's age at enlistment, in 1862, as 23 years.

In an affidavit filed with the bill the pensioner states that he is 72 years of age and wholly disabled from age and physical infirmities; that he owns about 6 acres of land, with a small dwelling house thereon, of the value of \$300, and that he has no income aside from his pension.

Evidence of neighbors corroborate the pensioner's statement. The witnesses state that of the 6 acres of land owned by the pensioner but 1 acre is tillable.

In view of the petitioner's age, physical infirmities, and meager means of support, and in accordance with precedent in similar cases of survivors of the early Indian wars, your committee respectfully recommend the allowance of pension at the rate of \$16 per month in lieu of that he is now receiving.



House Calendar No. 240.

62nd Congress,
2d Session.

HOUSE OF REPRESENTATIVES.

REPORT
No. 721.

LESLIE J. LYONS.

MAY 16, 1912.—Referred to the House Calendar and ordered to be printed.

Mr. RUCKER of Missouri, from the Committee on the Judiciary,
submitted the following

REPORT.

[To accompany H. Res. 488.]

The Committee on the Judiciary, having had under consideration House resolution 488, report the same back with the recommendation that it do pass.

The resolution is in the following language:

House resolution 488.

Resolved, That the Attorney General of the United States be, and he is hereby, directed, if not incompatible with public interest, to transmit forthwith to the House of Representatives a copy of the charges filed against Leslie J. Lyons, United States district attorney for the western district of Missouri, together with the report of Arthur T. Bagley, special agent detailed by the Department of Justice to investigate said charges, and a statement of the action of the Department of Justice, if any, upon said charges and report.

It will be observed that this resolution is in precisely the same language as House resolution 439 which was adopted by the House of Representatives March 12, 1912. On March 13, 1912, the Attorney General replied to House resolution 439 declining to transmit the information requested on the ground that it would be incompatible with the public interest to do so. The specific reason was that disbarment proceedings were pending against Lyons in the Kansas Court of Appeals. Thereafter that court rendered an opinion dismissing the disbarment proceedings. The Attorney General might then have transmitted to Congress the Bagley report with the full assurance that nothing it might contain could affect the proceedings in the State court. If the Bagley report exonerated Mr. Lyons it could not influence the decision of the State court after that decision had been rendered. Similarly, if the report was adverse to Mr. Lyons it could not then aid the State court in meting out justice to an unworthy member of its bar.

The Attorney General, however, instead of transmitting the Bagley report and other papers as requested by Congress, did transmit a copy of the opinion of the Kansas City court of appeals dismissing the

disbarment proceedings against Lyons. Thereupon Representative Borland introduced the pending resolution, House resolution 488, again requesting the Bagley report. Mr. Borland appeared before your committee and submitted a statement, which is incorporated herein. The committee finds that the charges made are not substantially disposed of by the finding of the State court, but on the contrary they relate largely to matters of conduct as an official of the Federal Government, which were not before the State court or were only incidentally referred to there.

The committee believes that these charges are of a very serious nature; that they affect the conduct of Mr. Lyons as a Federal official, as distinguished from his conduct as a member of the bar of a State; and that their adequate investigation is not within the scope of proceedings in any State court. If the Bagley report contained a full investigation of the subject and exonerated Mr. Lyons there would appear to be nothing incompatible with the public interest at this time in transmitting it to Congress. If, on the contrary, it discloses grave official misconduct on the part of Mr. Lyons, proper subsequent steps should be taken for the removal or punishment of the guilty official.

In the opinion of the committee, therefore, the resolution should pass in its present form, to bring to the attention of the Attorney General the propriety at this time of submitting to Congress the Bagley report.

HEARING BEFORE SPECIAL SUBCOMMITTEE NO. 7 OF THE COMMITTEE ON THE JUDICIARY
ON HOUSE RESOLUTION 488.

STATEMENT OF HON. WILLIAM P. BORLAND, A REPRESENTATIVE FROM THE STATE OF
MISSOURI.

Some time in December, 1911, as I am informed, charges were filed in the Department of Justice against Leslie J. Lyons, United States district attorney for the western district of Missouri. The charges were, in part, that Lyons was acting as attorney for companies whose business was of such a nature that they were, or might be, violating the Federal law in the fraudulent use of the mails. I am also informed that an investigation was made by the Department of Justice through a special agent named Arthur T. Bagley, a report of which was filed with the Department of Justice more than two months ago. The nature of this report has never been made public.

On March 4, 1912, I introduced House resolution 439, requesting the Attorney General to transmit to the House of Representatives a copy of the charges filed against Lyons, together with the report of A. T. Bagley and a statement of the action of the Department of Justice, if any, upon said charges and report. The resolution was adopted by the House of Representatives March 12, 1912. On March 13, 1912, the Attorney General replied, declining to transmit the papers requested on the ground an action was pending in the State courts of Missouri to disbar Lyons. At this time a disbarment proceeding was pending in the Kansas City Court of Appeals, and thereafter the court rendered its opinion dismissing the disbarment proceedings. Thereupon the Attorney General transmitted to Congress on April 5, 1912, a copy of the opinion of the Kansas City Court of Appeals in the disbarment proceedings, stating:

"This decision deals with substantially all of the charges filed against Mr. Lyons with this department, and acquits him of any improper conduct in connection with any of them."

The fact is, however, that the disbarment proceedings, being quasi criminal in their nature and restricted not only by the narrow scope of the rules of evidence applicable to such proceedings, but by the narrow jurisdiction within which the testimony was taken, wholly failed to reach the most serious charges against the conduct of Mr. Lyons. No adequate investigation was made, or could have been made, by the Kansas City Court of Appeals of the charge that Lyons was the attorney for parties whose business was such that it was, or might be, in conflict with the Federal law. This is a

charge which could be, and presumably was, given the first place in the consideration of the Department of Justice, and of which the Department of Justice was peculiarly equipped to conduct a wide and searching investigation. However, if such investigation was not given, but reliance was placed entirely upon the disbarment proceedings in the State courts of Missouri, then the filing of charges in the Department of Justice was an idle proceeding. If the investigation was made with the ample facilities at the command of the Department of Justice, it would disclose that Lyons had been attorney for one of the meanest swindles ever devised or conducted in this country, resulting in the victimizing of about 25,000 poor people. The amount of each victim's loss was so small and the legal difficulties in the way of redress were so great as to leave the victims without remedy.

A man by the name of R. J. Bolles, who at one time lived in Colorado, but who is now, I believe, a resident of Jacksonville, Fla., bought a large tract of land from the State of Florida in the Everglades. This land had never been surveyed, as the Government surveys led only to the outer edge of that vast expanse of swamp. No white man had ever penetrated into the interior of the Everglades. This region is covered with water to a shallow depth. It is impossible to get through with a boat on account of the rank growth of a very stiff grass, and it is impossible to get through on foot on account of numerous deeper places, known as alligator wallows, which make wading dangerous.

Bolles agreed with a firm of land agents in Kansas City, Mo., known as Martin & Borders, to place 90,000 acres of this land in their hands for sale upon a commission of \$200,000. Afterwards the amount was doubled and 180,000 acres were sold for a commission of \$400,000. The 180,000 acres cost Bolles \$2 per acre, or \$360,000. It was divided into 12,000 tracts, 8,000 of which were only 10 acres in extent.

Some of the tracts were 20 acres, some 40 acres, some 80 acres, and some larger. Martin & Borders, through various channels all over the country, sold 12,000 contracts for \$10 down and \$10 a month, or a total price per contract of \$240. Over 80 per cent of these contracts have been paid. Twelve thousand contracts at \$240 each would amount to \$2,880,000 that this scheme produced, or \$2,500,000 more than the original cost of the land. Not a dollar was spent on the land by Bolles. The only expenses were in the advertising, in commissions, and in legal expenses. A corporation was formed pursuant to the original design under the laws of Colorado. Bolles owned all of the shares except 500, which stood in the name of his stenographer, Miss A. W. Cain, and three or four single shares held by the nominal officers of the company. As fast as the money was received on the contracts it was paid out monthly in form of dividends to Bolles and Miss Cain. The amount thus paid out was between \$50,000 and \$60,000 a month. No fund was kept on hand to guarantee the performance by the corporation of its obligations to the contract holders except the current collections of the month. The land was never surveyed, but the divisions were made on paper by drawing lines across the unsurveyed land and dividing it into what are assumed to be small tracts of suitable size. None of the land has been drained and not a road has been built to any one of the tracts. No person is living on the land and no one of the contract holders is able to find the particular piece of land he is supposed to have drawn. The contract of sale is very meager and provides no protection whatever for the purchaser. The contract is herewith copied:

"CONTRACT.

"It is hereby mutually agreed between the Florida Fruit Lands Co., the undersigned, and the other purchasers of contracts in this enterprise as follows:

"First. The land offered by the Florida Fruit Lands Co. is a portion of the southern part of Florida, lying in alternate sections in the eastern portion of the county of Dade, embracing 180,000 acres, divided as follows: Eight thousand farms of 10 acres, 3,620 farms of 20 acres, 250 farms of 40 acres, 100 farms of 80 acres, 20 farms of 160 acres, 8 farms of 320 acres, and 2 farms of 640 acres.

"Second. The company will establish a central town site on its Florida tract, in addition to the farms above mentioned, of 12,000 lots, said town site to be located in what appears to be the advantageous point, with reservations for streets, factories, churches, schools, parks, public squares, and all public buildings, reservations to be deeded free to the town site when organized, excepting the reservation for factories, which will be deeded direct to the factories when located. The size of the lots for business and residence purposes shall be: Residence lots, 50 by 135 feet; business lots, 25 by 135 feet.

"Third. The purchase of one or more farms and lots, as stipulated on the back hereof, means that when the purchaser has completed his payments he becomes the owner of an undivided interest for each farm and lot applied for in the land and town lots offered for sale as hereinabove set forth.

"Fourth. Each applicant, when he makes his first payment and executes a contract, will receive from the company a receipt showing that when he has made his last payment the company will issue to him a clearance receipt. Each clearance receipt will be certified by the Pioneer Trust Co., of Kansas City, Mo. Said trust company will not certify more than 12,000 receipts.

"Fifth. When the contract holders, by themselves or their representatives, have assembled for the opening, they shall elect from their number three trustees, who shall receive a deed for the farms and lots herein described and hold same for the benefit of the purchasers. The company will furnish the said trustees plats of the farms and lots, and the trustees shall appoint an auctioneer, who shall proceed to auction and sell the farms and lots to the highest bidder for cash or upon such terms as the contract holders may decide. Contract holders may put as many farms as they hold contracts for, and the amount paid on each contract shall apply on purchase price. Contract holders only will be allowed to bid. The bidding will be open, competitive, and no lottery or game or scheme of distribution by lot or chance will enter into the same. The profits, if any, derived from the sale shall be divided among the contract holders pro rata. There are 12,000 contracts, 12,000 farms, and 12,000 lots, a farm and a lot to each contract.

"Sixth. Free round-trip transportation will be furnished the accredited representative of any club of 20 or more contracts in good standing in any one county from mobilizing points in any State at the time of the opening.

"Seventh. Any failure on the part of the purchaser to make payments as stipulated in the application forfeits his rights and interest in said contract and all moneys paid thereon.

"Eighth. The date of opening and sale of farms and lots will be announced 30 days in advance, but not to be later than the latter part of 1910, and all sales will be vigorously pushed by traveling and resident salesmen, and each applicant will be kept advised of the progress made until all the farms and lots are disposed of."

It will be observed that the contract does not stipulate that the land shall be drained or surveyed or ready for occupancy at any specified time, or that any roads shall be built or any other public improvements upon the land shall be made by the company. The bait which caught so many unfortunate people seems to have been the glowing accounts of the beautiful climate and attractive character of the State of Florida and the thinly disguised lottery scheme by which it would be possible to get a larger tract of land than 10 acres and a valuable lot in a town for the small sum of \$240. In March, 1911, all of the contracts had been disposed of and a drawing or allotment was held at Fort Lauderdale, Fla. The plan as announced was for the contract holders or their representatives to elect three trustees to whom the company agreed to deed the land. This would let the company out slick and clean and erect a legal barrier between them and the contract holders. The trustees were then to allot the land among the contract holders by means of an auction. The lottery feature was to be avoided by putting up each tract separately and allowing the contract holders to bid according to the desirability of the tract. In other words, I take it, that a contract holder, if this plan had been carried out, could bid two contracts or five contracts for a particular lot if he chose, or bid one contract or a half a contract, according to some difference in value. As a matter of fact, however, the land was allotted without any attempt at auction upon the mere chance of the order in which the names happened to come. This introduced the lottery element into the transaction and seems to have been unopposed by those present. One element of a lottery, of course, is that the prizes shall be of unequal value and that some element of chance exists by which one person may get a more valuable prize than another. In this particular transaction, however, the prizes may be all of equal value, being all equally worthless. It chanced that the three trustees elected by the contract holders were not the official slate arranged by the company. They were men of character and capacity, and their names are J. H. Rodes of St. Louis, Mo.; Claude E. Sawyer, of Aiken, S. C.; and Fred L. Hoag, of Sioux City, Iowa. The three trustees found that they were expected to act in a mere clerical capacity and execute deeds for such parties as the company designated to them. They declined to do this, however, and sought independent legal advice, although I know at least two of them were lawyers of experience. Eventually they brought suit against the company in the circuit court of Jackson County, Mo., at Kansas City, being cause No. 62201, Joseph H. Rodes and others against the Florida Fruit Lands Co.

The petition in this case contains a full history of the transaction and alleges that the company represented that the lands would be drained and ready for occupancy, that they would be surveyed, so that the various tracts could be located after the allotment was made, and that roads would be built so as to enable the holders of the 10-acre tracts to reach the land allotted to them; that the 10 acres was to be exclusive of the land taken for roads and canals; that the company had not fulfilled any of its

representations and had no right therefore to forfeit the part payments of the unpaid contracts. It also alleged that the company refused to the trustees the names and addresses of the contract holders for whom they were in law and equity trustees, and made various other allegations, winding up with the prayer that the distribution of the assets of the company to its stockholders be enjoined until the contracts made with the purchasers be complied with. In this suit a large number of depositions were taken. The depositions revealed that while the company was very careful to protect itself in its contract against representations of any sort and that its literature was filled almost exclusively with glittering generalities, yet in the letters written by the managing agents, Martin & Borders, to the land sales agents and prospective customers, it was distinctly and repeatedly represented that the lands would be drained and ready for occupancy at the time of the drawing; that they would be surveyed, so that even the smaller tracts could be readily located, and that the officials maps issued by the company indicated roads adjoining each 10-acre tract. The officers of the company, who were, as stated, mere figureheads, denied the authority of the sales agents, Martin & Borders, to make such representations. The general agency of Martin & Borders was established by written contract entered into at the time the corporation was formed. It was shown that they had more authority in the premises than the figurehead officers of the company. One hundred and eighty thousand acres of land constituted 641 square miles.

The present president of the company, George A. Paddock, denied that the map issued by the company showed any roads to the 10-acre tracts in the midst of this vast swamp. His attention was called to double lines on the paper map, such as generally are used to indicate roads, but he stated that these lines were not put there to indicate roads, but as mere division lines. The former president of the company, A. D. Hart, was shown the same map, and he testified that the double lines did indicate roads to any experienced land salesman, but denied that the roads would be built by the company. The rest of the testimony bears out this same general character. This concern is now under investigation by the Post Office Department, but it is greatly to be feared that the investigation is too late.

This being the character of the concern, it further appears that Leslie J. Lyons was its attorney from the inception. The trustees opened an office at 918 Wainwright Building, St. Louis, Mo., where they are still attempting to conduct the business. Lyons twice visited that office as attorney for the company and resisted, on behalf of the company, the demands of the trustees made on behalf of the contract holders. As recently as August, 1911, a letter addressed to the Florida Fruit Lands Co., Kansas City, Mo., was answered by Leslie J. Lyons over his own signature. Since the filing of the disbarment proceedings and the filing of the charges before the Department of Justice it may be that the connection of Lyons with the company has ceased. At all events he is not representing the company in the litigation now pending between the trustees and the company.

It might be contended that the connection of Lyons with the company was merely in a professional character and that he is not responsible for the sins of his client. It is undoubtedly true that where a bad man or a bad corporation becomes involved in litigation, either civil or criminal, it has a right, both in law and in ethics, to employ the most honorable counsel it can find, and there is nothing dishonorable in the counsel accepting such employment. In the minds of the people, however, and in the minds of the members of the bar, there is plain distinction between representing a client in litigation and acting as counsel and confidential adviser of a crooked scheme. If Lyons is guilty of the latter, he has no right to occupy an official position as the law officer of the United States Government.

It might be contended also that Lyons's connection with the Florida Fruit Lands Co. was an isolated case and that he had no previous knowledge of the history of the business or the character of the men engaged in it. Unfortunately, however, for Lyons this contention can not be made. It appears that R. J. Bolles and Martin & Borders and the same organization of land agents operated precisely the same kind of a scheme under the name of the Oregon Valley Land Co. Bolles acquired at some nominal price a tract of mountain land in southern Oregon, known as the military grant. It was about 300 miles in length and 6 miles in width. He caused to be organized under the laws of South Dakota a corporation, which maintained its place of business in Kansas City, Mo., to sell land in Oregon. The land was divided into 14,000 tracts, ranging in size from 10 acres up. It was represented that the land would be under irrigation and ready for farming in the season of 1910. Fourteen thousand contracts were sold at \$200 each, making a total of \$2,800,000. The drawing was held in October, 1909, a year and a half before the drawing in Florida. At the drawing in Oregon Leslie J. Lyons was present, having gone from Kansas City as the legal representative of the company. Three trustees were elected, who seemed to have voted that they would not attempt to perform any duties, but would allow the

deeds to be executed by the company. A lawyer named Shull, of St. Joseph, Mo., had been employed by the trustees to examine the title to the land. He testified that the abstract sent him by the company did not show title except to 640 acres. He returned the abstract with this report and never heard from them afterwards. Bruce Creek, of Liberal, Seward County, Kans., testified that he went to Lake View, Oreg., representing a club of 20 contract holders. He described the drawing in such a way as to show that the tracts were allotted by chance. He remained a few days after the drawing and attempted to find the land which he had drawn on behalf of his fellow contract holders. His description is as follows:

"I drew land under this drawing [indicating on map]. I went out and looked at it later on. No opportunity was afforded to examine it before drawing. This tract is in section 19, township 23, range 38. I went out to see what it was, and found all rock and mountains from the town clear out there—rocks and mountains from Lakeview City to that part of the land. I saw no water. Well, there was rocks and mountains all over it. The whole thing was rocks and mountains. The trail to get through out that way happened to come right by there. I saw a 10-acre tract right in there [indicating on map]. Section 33, township 19, range 38, 312 belonged to W. A. Coldwater—on club sheet, one of the men there represented. That land was on the high mountain; very high; so high that a person could not even carry a bucket of water on top of it, letting alone irrigating it at all. Other land I looked at was section 11, township 19, range 39, and it was down in the foothills of the mountains. The nature of it was gravelly rocks and sagebrush, and once in a while a big cactus. That was also drawn for Coldwater. I also looked at one, being section 27, township 39, range 19. That was right in the edge of Goose Lake—just little islands, and a bunch of grass all over that. The whole thing was rocks and mountains all over there—right between these mountains here. Exhibit Q is a picture of the town of Lakeview region. I drew another tract away up here in this corner. I think it is 31-41. I did not go up to look at that, as I don't think I could have got to it. It would be impossible. I was not within 160 miles of it. East of Lakeview it is mountains from the back of the store building; as far east as I went it was rocky and mountainous. I went about 25 or 30 miles east. The land was represented to be not over 80 miles from town by G. W. Cooks, at Liberal, Seward County, Kans., at the time I made my application in 1908. One of my drawings is 183 miles from Lakeview. We are going to try and get this money back, because it was misrepresented to me."

It appears that numerous attorneys have attempted to get the company to repay the money paid in by their clients and they were referred in every case to Leslie J. Lyons. A characteristic letter of this kind is as follows:

[R. J. Martin, president; J. H. Borders, secretary; H. C. Shimp, treasurer.]

OREGON VALLEY LAND CO. (INC.),
SUITE 101, MASSACHUSETTS BUILDING,
Kansas City, Mo., October 3, 1910.

W. W. GARNHART, City.

DEAR SIR: I met a Mr. Taylor in Lakeview. I think he is the man you represent. The land secured by Mr. Taylor is good land, and if he had worked it this year he would have raised a good crop. We are perfectly willing for Mr. Taylor to seek redress in the courts if he so desires.

If you care to take the matter up with our attorney, Mr. Leslie J. Lyons, you will find him at the Government building.

Yours, very truly,

OREGON VALLEY LAND CO.
R. J. MARTIN, President.

J. H. Borders, of the land firm of Martin & Borders, who seems to have figured as secretary of the Oregon Valley Land Co., said:

"The corporations we have been interested in are as follows: Oklahoma Townsite Co., San Luis Land Co., Oregon Valley Land Co., and other subsidiary companies connected with them; the Midland Trust Co., and sales agents for the Florida Fruit Lands Co."

He further says that Leslie J. Lyons was a director in the organization of the Midland Trust Co., which seems to have been an inside organization for the purpose of floating the other companies. The best description of the present condition of the Oregon Valley Land Co. is contained in the following letter:

LAKEVIEW, OREG., February 5, 1912.

Hon. WM. P. BORLAND,

House of Representatives, Washington, D. C.

DEAR SIR: Replying to your letter of January 15, last, inquiring concerning the operation and status of the Oregon Land Co., I have to say that I know of no such com-

pany operating in this section, but I presume you mean the Oregon Valley Land Co., with headquarters at Kansas City, Mo.

This company bought a part of the lands known as the Oregon Central Military Road Co.'s grant and later bought some 45,000 acres from the Heryford Land & Cattle Co. and others. These were the lands which were disposed of to contract holders and allotted at the drawing referred to in your letter, which was consummated in the fall of 1909.

A great deal of the land in the road company's grant was of very little value and much of it was practically valueless.

The property of the Oregon Valley Land Co. was subdivided into tracts ranging from 1,000 acres down to 10 acres. Each contract holder was entitled to one of these tracts, together with a lot in the Oregon Valley Land Co.'s addition to the town of Lakeview. The lands were supposed to be sold at public auction to the contract holder paying the highest price for each tract, but it was so arranged that it was nothing more or less than a lottery.

The company had the different tracts numbered, and the different lots in their addition to the town of Lakeview and the different tracts of farms or acreage land were also numbered, and these were supposed to be auctioned off. The name of the person holding the contract corresponding to the number of the acreage tract or town lot was called by the auctioneer and the holder of the contract, or some one representing him, at once bid the uniform price of \$200. In a few instances other contract holders undertook to bid against the person who held the number allotted to his contract, but such action was condemned by the rest of the people present, and the party thus attempting to bid on the land was hissed and hooted till he quit, so that the auctioning off of the land amounted virtually to a lottery.

In many instances the contract holders got value received for their money, but in a great many instances they got lands of no practical value for their \$200 paid under their contract.

I might add that it was represented by the company in their advertising matter and literature exploiting these lands that each 10-acre tract would be irrigable land and the purchaser would receive, without charge, an absolute perpetual right to water sufficient to irrigate one-half of each of said 10-acre tracts. It was further represented in their literature that every foot of the lands purchased from the Heryford Land & Cattle Co. was already under irrigation, or something to that effect, as I recollect, when as a matter of fact a considerable portion of the Heryford tract was not under irrigation and was not susceptible of irrigation.

The Oregon Valley Land Co. represented, too, that water would be ready for irrigating these 10-acre tracts, as I recollect, for the season of 1910, or it might possibly have been for the season of 1911, although I think it was for the season of 1910. As a matter of fact, the construction of the dams, canals, and ditches of the irrigating system has not yet been completed so as to furnish water to any of the lands, and probably will not be in such condition until the spring of 1913.

The proposition was badly mismanaged and there was serious misrepresentation to the persons who purchased contracts. I am inclined to think the promoters were criminally liable for misuse of the United States mails in some of the literature, and I think most of the persons purchasing contracts were sadly disappointed and did not receive anything like value for their investment, while others have received full value.

I was told by one of the company's agents or employees, a local man here, who was actively engaged in the company's behalf, showing representatives of contract holders over their holdings, that he considered the proposition the rottenest deal that was ever pulled off in the United States. At the time he made this statement he had lost his position with the company and was very sore at the managers of the concern on that account.

As to the present status of the company, I think they have come to their string's end for ready money, as near as I can learn, but have some scheme now whereby they expect to bond the proposition and complete the construction of the dam to the reservoir and the remainder of the canals.

As I understand it, the company has some lands left over which were not embraced in the sales to the contract holders, and my understanding in regard to these lands is that they have been transferred to R. J. Martin and J. H. Borders, respectively, the president and secretary of the Oregon Valley Land Co. Just what the Oregon Valley Land Co. may own at the present time I do not know, but I think they have little or nothing left standing in the name of that corporation.

G. W. Rice, the engineer of the Oregon Valley Land Co. in the construction of its irrigation system, can probably give you detailed information as to what the company has or what still remains in its name.

If I understand the purpose or object of your inquiry, I might give you more specific information in some of the details, but this is only a cursory review of the general status of affairs as I understand them, based partly on current rumor and partly on actual knowledge.

Yours, very truly,

L. F. CONN.

If these things are true, Lyons is at present resting under a very damaging imputation in the minds of several thousand people. In many of the cases men who have bought these tracts of land have sold their property and moved their families to find what they believed to be a splendid prospect of a new home, only to meet with the bitterest disappointment and most humiliating destitution. The land hunger of Americans is proverbial and there is no stronger passion in the breast of the white man than the desire to own a home, especially among wage earners and other people of small means who are homeless. If Lyons has been a party to a conspiracy to plunder thus the people by playing upon this ruling passion, he should not be permitted to resign, but should be instantly dismissed from employment by the United States Government.

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Private Calendar No. 93.

PENSIONS AND INCREASE OF PENSIONS TO CERTAIN SOLDIERS AND SAILORS OF THE CIVIL WAR, ETC.

MAY 17, 1912.—Committed to the Committee of the Whole House and ordered
to be printed.

Mr. RUSSELL, from the Committee on Invalid Pensions, submitted the
following

REPORT.

[To accompany H. R. 24626.]

This bill is a substitute for the following House bills referred to
said committee:

H. R. 73. Leon Schuhmacher.
74. Harmon A. Fleming.
92. Willis Dennis.
107. Daniel Boroff.
184. Elizabeth R. Nelson.
191. Marcellus Albright.
445. James Boner.
447. George Hostler.
448. Jacob D. Welsh.
464. John Cooley.
499. Benjamin F. Ralls.
507. Joshua Hubbard.
654. John Dover.
662. John Mertes.
1127. William M. Freels.
1539. Jacob C. Bloodworth.
1585. Daniel Remington.
1586. John C. Carter.
1591. James L. McWilliams.
1926^a. Monroe Abbott.
2022. Hugh J. Hales.
2232. Sarah Wallace.
2371. Henry Zellner.
2466. James Crain.
2471. Benjamin Rail.
2473. Samuel Johnson.
2524. Samuel Mishler.
2528. Samuel Shropshire.
2543. Sylvanus G. Peffie.
2908. George G. Hughes.
3027. Joseph R. Peck.

H. R. 3029. William D. Parks.
3299. Elizabeth Staffen.
3316. Alvis Sharp.
3713. Edward Kinlry.
3724. Thomas Inman.
3841. Henry Cutberth.
3915. Joel Parsons.
4054. Nannie Slayton.
4075. Hugh H. Wilson.
4351. Peter W. Gadbow.
4616. Francis M. Perkins.
4617. Byron Lilly.
4639. William T. Tway.
4890. Samuel D. Preston.
5104. Conrad Hamman.
5106. John W. Fry.
5107. Charles Allen.
5254. Samuel J. Miller.
5257. William W. Keene.
5341. Henry Flesher.
5343. George H. Bolsey.
5392. Galen H. Lotz.
5429. William Francis.
5543. David M. Kinsey.
5565. John McPhern.
5566. Michael R. Godfrey.
5567. Joseph C. Johnson.
5646. James W. Longbon.
5664. James M. Francis.
5783. Patrick J. Carroll.

H. R. 5789. John Breneman.	H. R. 11512. Hester A. Snodgrass.
5810. Dennis Willard.	11524. Benjamin F. Lemon.
5814. Levi B. Wightman.	11540. John Bonecutter.
6069. John Miller.	11610. Frances A. Francis.
6126. John Zedeker.	11653. Jane A. Kirby.
6249. Daniel B. Boynton.	11707. Joseph H. Shipman.
6262. Lyman H. Evans.	11737. James H. Langbery.
6353. Jacob Henry.	12019. Thomas C. Snider.
6437. David Gough.	12073. Calvin Underwood.
6814. John L. Smith.	12095. Robert Marshall.
6832. Anton Ohnesorg.	12352. Thomas R. Anderson.
6838. James C. Rule.	12388. Charles W. Price.
7048. Alfred Williamson.	12438. Samuel H. Hulse.
7137. Edmond Dunahoo.	12452. William M. King.
7231. Shepherd M. Knapp.	12509. Henry D. Jordan.
7237. Ezeriah Evans.	12567. Rebecca J. Shy.
7295. Charles D. Beman.	12573. William L. Switzer.
7383. Jeremiah Taylor.	12575. William H. Palne.
7403. Elias D. Keoppel.	12594. Susan H. Butler.
7639. Henry Wheeler.	12632. James Teller.
7665. Francis M. Harris.	12676. Reuben H. Crosby.
8506. Albert B. Kidder.	13024. Reason Carrio.
8526. Joseph B. Randall.	13059. Moses Hensley.
8713. Thomas Price.	13086. Claudius N. Martin.
8750. Graunville Koger.	13197. Joseph Funk.
8756. John W. Harris.	13306. James M. Childers.
8870. Samuel A. Houser.	13307. Henderson W. Poundstone.
9051. James E. Bowers.	13312. Theodore Brown.
9292. True Hart.	13322. Edward J. Hummel.
9348. John Hanlon.	13323. Wesley Z. Lewis.
9404. Lucy B. Miller.	13324. William H. Youart.
9559. John Bohland.	13340. Harry Karslake.
9674. John R. Collins.	13372. John H. Weaver.
9704. Francis M. Kittrell.	13424. Horatio F. Bronson.
9782. George H. Devo.	13440. Frank A. Higgins.
9791. David B. Johnson.	13490. Maud Johnson.
9925. Robert L. Higgins.	13546. James R. Anthony.
9926. David Turpin.	13552. Anna Glendening.
9935. Peter M. McNelly.	13639. Abram A. Gossett.
9941. John W. Bricker.	13764. Adelbert B. Crampton.
9942. David A. Pew.	13896. Aaron Teegarden.
9994. Hiram C. Smith.	13992. Samuel Engle.
10026. Thomas B. Reed.	14174. Daniel R. Smith.
10200. James A. Thompson.	14176. Margret Babcock.
10395. Leonard A. Wilson.	14177. James H. Utter.
10457. Godfrey Winkler.	14179. George O. Booth.
10468. Henry Willman.	14378. Timothy Donovan.
10561. Richard Burns.	14374. James N. Dennis.
10573. George L. Mull.	14435. George Livingston.
10631. Napoleon B. Agy.	14446. Commodore O. Perry.
10633. John Dunn.	14470. Frank F. Pullen.
10748. William H. McAllister.	14521. Francis M. Sutton.
10791. John Heltzel.	14544. Charles R. Brown.
10872. Harrison Bradley.	14644. Charles G. Mason.
10973. William Leeper.	14751. Nannie K. Thomas.
11013. Reuben Melton.	14782. William McCutcheon.
11015. John W. Bond.	14841. George A. Talner.
11117. Abraham Shipman.	14900. Joseph Hornung.
11293. Theodore Garner.	14903. Esther E. Bailey.
11392. Emma J. Turner.	14914. Daniel Wright.
11393. Martin V. B. Smith.	14963. John H. Ballmer.
11408. William Brown.	15047. Thomas H. Scott.
11452. Nancy E. Smith.	15052. Christian H. Snyder.
11453. Samuel Pierce.	15063. John Ferrier.
11505. Parley Day.	15066. Friezt Heinrich.
11507. Harmon Dixon.	15078. William Shug.
11511. George W. Johnson.	15079. William Mack.

II. R. 15061. Frank Drew, alias Frank Drube.

15164. Charles Sergeant.
 15204. William M. Mitchell.
 15210. Salmon A. Buell.
 15226. James H. Biteman.
 15236. Rebecca Behrmann.
 15238. Makajah T. Hill.
 15253. Hiram Budinger.
 15333. John Tipton.
 15379. Jacob M. Neely.
 15387. Frederick Bonnet.
 15420. Milton S. Lawhead.
 15442. Milo Paden.
 15444. Samuel N. Mathews.
 15557. Oscar F. Towne.
 15659. Daniel W. Hickman.
 15846. George W. Foster.
 15965. James R. Palmer.
 15988. Samuel T. Chambers.
 15995. John R. English.
 16048. Thomas L. Curas.
 16055. John H. Austin.
 16116. Calvin B. Castelo.
 16202. William J. Sneed.
 16234. Stephen J. Still.
 16236. Samuel L. Riley.
 16241. William Palmer.
 16243. Norman D. McKown.
 16246. James R. Reeder.
 16272. Michael Fitts.
 16275. Hector M. Stocum.
 16380. Samuel K. Harris.
 16485. Daniel M. Fenton.
 16511. Robert M. Stewart.
 16521. Alva M. Courtright.
 16595. Joseph H. Denton.
 16616. Henry M. Montgomery.
 16634. Robert L. Fuller.
 16696. Uzal K. Still.
 16718. Helen T. Wood.
 16728. William Lay.
 16865. Willetts Haas.
 16897. James B. H. McDaniel.
 16925. Stephen R. Estes.
 16959. George Emerick.
 16962. Mary E. Smith Barkley.
 16981. Orrin L. Drake.
 16989. Bridget Burns.
 16995. Benton W. T. Derryberry.
 17075. Martha Coslett.
 17139. Stephen H. Clayton.
 17185. William A. Smith.
 17261. James H. Kinkad.
 17270. Genio S. Lawrence.
 17277. Mary Rothenburger.
 17290. Orlando P. Brennessholtz.
 17291. Stewart Wells.
 17345. William H. Cox.
 17346. Emma A. Jahne.
 17404. Marshall D. Watson.
 17433. John C. Doss.
 17509. Celia O'Neal Boothby.
 17515. Henry K. Reese.
 17526. Eliza Williams.
 17557. Fannie E. Brown.
 17564. John H. Price.

H. R. 17698. Israel Loatman.

17703. Francis C. Field, alias
 Silas Mansfield.
 17715. Herman Boedicker.
 17765. William L. Whetstone.
 17852. Annie White.
 17943. Jacob L. Kennamer.
 17981. C. M. Hildabrand.
 17993. James Sandusky.
 18071. Mary Florence King.
 18111. George B. Kiehl.
 18114. Florence L. Latriace.
 18154. Sanford D. Ramey.
 18265. David Slonaker.
 18403. Ellen Smith.
 18440. Milton Trout.
 18445. Benjamin Coe.
 19571. W. Walter Branyan.
 18708. Ellen E. Beck.
 18746. John Henderson.
 18804. John H. Adelmeyer.
 18812. William Yates.
 18883. Armstrong Staley.
 18885. Silas McGregor.
 19000. William W. Hughes.
 19013. August H. Merchant.
 19047. Allison Clark.
 19048. Kate G. Andrews.
 19058. Sallie F. Wilson.
 19079. Thaddeus W. Wolfe.
 19136. Daniel S. Tuthill.
 19163. John B. McElhinny.
 19194. Anna D. Strock.
 19197. Michael Fitzgerald.
 19262. Charles H. Koontz.
 19265. George W. Salter.
 19311. Scott Wright.
 19358. Lewis Gross.
 19360. Marshall Preston.
 19392. George F. Russell.
 19490. Cornellus W. Roberts.
 19513. Erminia Thayer Carpen-
 ter.
 19600. Perley Evans.
 19631. Cornelius McCafferty.
 19648. Mary A. Sanborn.
 19649. John R. Parmley.
 19650. James A. Miller.
 19658. Sarah Brandon (now
 Sweeney).
 19665. Cora A. Crist.
 19735. Phillip McGregor.
 19778. Josiah Main.
 19779. Michael Dalton.
 19846. Herman K. Miller.
 19970. Manford G. W. Tucker.
 20033. Samuel T. Wolf.
 20200. Amos E. Burbank.
 20254. John A. Pierson.
 20262. Alvin M. Miller.
 20342. Emeline N. Griffiths.
 20361. Josiah Garrison.
 20364. Christine March.
 20414. Reuben V. Lott.
 20449. Tandy R. Shoemaker.
 20462. Abram Entsler.
 20468. Conrad Push.
 20513. John O'Mara.

H. R. 20516. Henry A. Munzert.
 20530. Alexander Mattison.
 20534. Charles J. Hodgkinson.
 20535. John McAdoo.
 20556. William Fuller.
 20621. Willard B. Hill.
 20656. Henry Gaines.
 20657. Nicholas Burlbaw.
 20658. John W. Wray.
 20774. Stephen P. Libby.
 20844. Thomas J. Cartwright.
 20920. George C. Hall.
 21088. Thomas Overstreet.
 21102. Fountain D. Plummer.
 21112. Annie Swayze.
 21247. Laura V. Alexander.
 21266. Erastus Morgan.
 21297. John B. Thompson.
 21316. Joseph H. Duncan.
 21377. Thomas B. Chapman.
 21380. Verona Withaus.
 21385. James A. Buck.
 21386. Paul Hirschfield, alias
 Harris Cohn.
 21402. John A. Kerr.
 21408. Harrison Bernard Taylor
 21414. Isaac Prosser.
 21437. Henry B. Furbee.
 21469. Reubin Bradish.
 21509. George Grove.
 21512. Henry S. Davis.
 21562. James A. Dowell.
 21569. Susan C. Virgin.
 21580. Francesca L. Perrine.
 21583. Julia J. Kendall.
 21598. Jacob Eley.
 21608. Addison Miller.
 21635. August Arnoldi.
 21689. Ephraim Martin.
 21777. Louis Gessner.
 21809. Job M. Kerns.
 21822. Edward D. Ingersoll.
 21842. Annie Elizabeth Boyle.
 21850. Basil Peterson.
 21866. Thomas Casey.
 21873. William Arbogast.
 21874. Joseph C. Carmean.
 21956. William H. Wilson.
 21993. Emily L. Brown.
 22001. Thomas N. Maple.
 22025. John M. Buckley.
 22026. Robert F. Evans.
 22070. Waldo W. Williams.
 22076. Duncan Cox.
 22128. Solonas Williams.
 22137. Abram S. Esmay.
 22153. Melissa Lindsey.
 22172. William H. Miller.
 22373. Arthur A. Jones.
 22383. William Nye.
 22388. Albert List.
 22414. Abraham Myers.
 22444. William W. McCumber.
 22445. James Hawkins.
 22457. James S. Doolittle.
 22530. Mary C. Edwards.
 22540. Jesse Dorsett.

H. R. 22559. John M. Burson.
 22602. Kenton Core.
 22622. William Tipton.
 22624. Benjamin Butler, alias
 Benjamin Bullson.
 22630. Isaac Baschore.
 22662. Noah Switzer.
 22673. Daniel Yetts.
 22722. Mary C. Martin.
 22746. Rufus McCutcheon.
 22756. Charles G. Sco t.
 22761. Emma C. Smith.
 22780. John R. Perkins.
 22789. Loviah S. Osborn.
 22804. Rachel A. Houck.
 22811. William W. Thornton.
 22841. Perry Black.
 22854. Lawrence Hoffman.
 22887. Lorenzo D. Barnhart.
 22915. Otto Marolotz.
 22929. Robert C. Cole.
 22931. Edward Lenihan.
 22970. Burwell C. Crosthwait.
 22991. Mary E. Carr.
 23016. David B. Ziegler.
 23017. Cornelius W. Robinson.
 23019. Noah Brown.
 23048. Joshua Pack.
 23055. Holmes C. Grant.
 23057. James Warren Brown.
 alias James Warren.
 23058. William J. Miller.
 23059. Alexander Parks.
 23061. Caleb W. Story.
 23131. Hope M. Craig.
 23168. Stephen L. Freel.
 23173. Henry J. Van Iderstine.
 23196. Michael Rudisell.
 23230. Osmer A. Talmage.
 23249. Robert L. Kirkwood.
 23275. Adoniram J. R. Lohr.
 23285. Sarah M. Spence.
 23287. Emma Chapman.
 23305. John P. Ballard.
 23314. Anna Leonard.
 23356. John A. Mow.
 23432. Penelope Morton.
 23443. James F. Walker.
 23474. Edward L. Richmond.
 23476. John L. Comstock.
 23486. Henry M. C. White.
 23489. Sidney F. Haines.
 23495. James W. Thacker.
 23497. Henry E. Rockafellow.
 23512. Ellen Coen.
 23531. John Lindquist.
 23540. Sarah E. Merritt.
 23552. James Powers.
 23562. Thomas F. Edgar.
 23590. Mary Schwindling.
 23597. Marion Chambers.
 23608. George R. Latham.
 23656. Herschel W. Howland.
 23678. Harrison Craig.
 23688. Edward Spaulding.
 23693. Tamson E. Boylston.
 23725. Mary E. Kelly.

H. R. 23731. James A. Mullen.
 23742. Roswell Corbett.
 23746. Joseph Williams.
 23747. Harrison Ratliff.
 23748. George L. Davis.
 23783. Daniel R. Snyder.
 23790. Emsey O. Young.
 23792. John B. Cason.
 23814. Horace Buchanan.
 23815. Daniel H. Woolery.
 23825. Lucretia M. Smith.
 23860. John C. Kliver.
 23871. Stanford W. Ellis.
 23872. William Bacome.
 23873. Thomas R. Scott.
 23875. Charles W. Bricker.
 23886. James E. Cady.
 23887. John Reash.
 23888. John Leroy McMichael.
 23890. George N. Van Wagener.
 10500. King A. Bowman.
 13559. Joseph H. Hays.
 19681. James G. Begley.
 23896. John O. Shufeldt.
 23911. Thomas F. Lankford.
 23915. Martin J. Flegel.
 23929. Elizabeth H. Nichols.
 23933. William J. Ferguson.

H. R. 23936. Thomas D. McElwain.
 23937. Charles H. Spencer.
 23979. Margaret E. Currick.
 23981. Nathaniel McDonald.
 24006. Mary M. Rowe.
 24031. Cyrus A. Moneysmith.
 24080. Joseph Goddard.
 24105. Frank E. Barnes.
 24127. Mary E. Sprayberry.
 24138. Joel Ratliff.
 24140. Henry Coster.
 24141. Elizabeth Reynolds.
 24143. Sarah E. Bapp.
 24170. David Thompson.
 24171. James Phillips, alias Joseph Stanton.
 24198. Elizabeth Schreiner.
 24294. Angeline Wilson.
 24300. James Baxter.
 24314. Henry C. Mears.
 24332. James T. Kennedy.
 24468. George W. Crider.
 24552. John Breeding.
 24555. Edward W. Clough.
 20612. Daniel M. Hager.
 23867. John W. Cook.
 24584. Mary H. Atkinson.

The following are the facts ascertained by the committee concerning the case of each beneficiary in said bills and the conclusions of the committee as to the proper amount of pensions or increases which should be granted.

H. R. 73. Leon Schuhmacher, about 68 years of age, served as a private in Company G, Thirty-seventh Ohio Volunteers, from September 12, 1861, to January 20, 1863, when discharged on account of valvular disease of the heart, and is a pensioner under the act of June 27, 1890, at \$12 on account of a left inguinal hernia, a left varicocele, and rheumatism.

He was originally pensioned under the general law at \$4 per month from discharge on account of the hernia, and increased to \$8 per month, and has shown himself to be entitled to a rating of \$10 for the same from December 4, 1891.

Claimant is a resident of Bryan, Ohio, and was last examined on January 12, 1910, by the Paulding (Ohio) board of surgeons, and was rated \$14 for a left inguinal hernia, the size of the tumor being that of a hen's egg; \$6 for a varicocele of the left side; \$10 for rheumatism with one-half limitation of motion of the right hip and knee, with fingers of right hand drawn outward to about 30°, and with fingers and toes chubby and stiff.

It is shown by the affidavit of Dr. Penderthy, of Bryan, Ohio, that the claimant is still afflicted with the disabilities named above, and in addition thereto has irritation of the kidneys and bladder, and at times diarrhea, which is inclined to be chronic, and that by reason of these disabilities and the disability due to age he is not able to perform the labor necessary to support his family.

He owns property worth about \$2,035.

The case is a proper one for congressional legislation, and an increase of the soldier's pension to \$30 per month is recommended.

H. R. 74. Harmon A. Fleming, aged 66 years, served as a private in Company M, Eighth Regiment Ohio Cavalry, from March 24, 1864, to July 30, 1865, and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of disease of rectum and digestive organs and lumbago.

He sought pension under the general law in March, 1888, on account of chronic diarrhea and scurvy, but abandoned the prosecution of his claim.

He was last examined 20 years ago by the Defiance (Ohio) board of surgeons and rated \$8 for disease of the digestive organs and \$4 for lumbago.

Claimant is a resident of Defiance, Ohio, and is shown by the testimony of Dr. Ury, of that place, to be now suffering from constipation, hypertrophy of the prostate, three hemorrhoidal tumors, rheumatism of the right knee and shoulders, disease of the heart, and impaired hearing and sight.

Lay testimony shows that claimant is wholly disabled for labor and is a poor man without any property.

He is worthy and deserving of some relief, and an increase of his pension to \$24 per month is recommended.

H. R. 92. Willis Dennis, about 70 years of age, served as a private in Company A, Fifty-seventh Ohio Volunteers, from January 4, 1864, to August 14, 1865, and is a pensioner under the general law at \$16 per month on account of disease of the eyes with resulting loss of sight of the left eye. Increase of pension was denied by the Pension Bureau in July, 1910.

He is a resident of Kalida, Ohio, and was last examined on June 17, 1910, by an oculist, who found him totally blind in the left eye, the cornea being completely covered by a dense leucoma, due to an old keratitis and perforating ulcer, with not even light perception in that eye and vision of the right eye reduced to 20/30.

It is shown by the affidavit of Dr. Douglass, of the claimant's home, that the claimant, aside from the disability of accepted service origin, also suffers great pain in his head and becomes very nervous and forgetful; that for the past three years he has also been suffering with cardiac dyspnea, with edema of both feet and legs, is unable to stand any exertion, suffers also from a rupture of the right side and can not get a truss that will retain the same, and is now totally unable to perform any manual labor for the support of himself and family.

Claimant's wife states that he has been afflicted with heart and kidney trouble for several years past; that at times it is hard for him to keep from falling as the result of his heart and nervous trouble; is also afflicted with a rectal fistula—so bad that he has to use cotton batting—and is in need of care and attendance from others a good part of the time.

The neighbors of the soldier state that he owns an undivided one-half interest in 40 acres of land, the land being worth about \$1,700, but mortgaged for \$750, the income from the equity in the land not exceeding \$50 per year.

On account of the claimant's well-nigh helpless condition and destitution, an increase of his pension to \$30 to aid in his support is believed to be warranted.

H. R. 107. Daniel Boroff, about 65 years of age, served as a private in Company A, Forty-sixth Ohio Volunteers, from March 31, 1864, to July 22, 1865, and is a pensioner under the act of June 27, 1890, at \$12 on account of disease of the eyes and piles.

He sought pension under the general law in April, 1905, basing his claim on an injury to the eyes and on chronic diarrhea and resulting piles, but abandoned the prosecution of his claim.

He was last examined in October, 1892, by the Van Wert (Ohio) board of surgeons, and was then rated \$24 for disease of the eyes and \$8 for chronic diarrhea and piles, the surgeons then stating that he had severe trachoma of both eyes, with ulcerated lids and pustular discharges, that the pupils were contracted one-half and responded very slowly to light.

The claimant is a resident of Clover Hill, Ohio, and it is shown by the testimony of Dr. Heath, of that place, that claimant is now totally incapacitated for labor by reason of his eye trouble, there being two distinct opacities, one over each pupil, mostly covering the same; that the pupils respond slightly to light and shade, etc.

The neighbors of the claimant state that he is badly deficient in eyesight and that he has not done much manual labor for several years last past.

Claimant owns a lot in the village of Clover Hill worth about \$160.

It having been shown that the claimant is suffering from a disability of an extreme nature, and that he is practically totally disabled for labor, and is destitute, an increase of his pension to \$24 to aid in his support is believed to be warranted.

H. R. 184. Elizabeth R. Nelson, aged 81 years, is the widow of Thomas Nelson, who served as a private in Company H, Sixty-second Regiment Pennsylvania Infantry, from July 4, 1861, to July 13, 1864 (three years). Soldier never applied for pension; he died February 29, 1880. He and pensioner were married April 15, 1850. She is now pensioned under act of June 27, 1890, as amended, at \$12 a month.

She also applied under act of July 14, 1862, but was rejected—unable to connect death cause with soldier's Army service.

Physicians and neighbors say pensioner can not get out of her room without help; also that the only property she owns consists of a few bedroom articles of the value of \$15 or \$20. She owns no real estate.

Her extreme age, helplessness, and destitution, and being a "war widow" entitles her to an increase to \$20.

H. R. 191. Marcellus Albright, aged 69 years, served as a private in Company A, Seventh Regiment West Virginia Volunteer Infantry, from July 16, 1861, to November 17, 1862, and in Companies L and E, Sixth Regiment West Virginia Volunteer Cavalry, from March 10, 1864, to May 22, 1866 (total service, 3 years, 6 months, 13 days), and is now a pensioner under the act of February 6, 1907, at \$12 per month, on account of age.

He was formerly pensioned under the act of July 14, 1862, at \$10 per month by reason of chronic diarrhea and resulting piles.

Address, Ona, W. Va.

Board of surgeons, October 4, 1905, found pensioned causes and varicocele.

Medical testimony is that applicant has chronic diarrhea and piles, and is unable to do manual labor.

Other testimony is that applicant has personal property worth \$100 and no income but his pension.

An increase to \$30 per month is recommended.

H. R. 445. James Boner, aged 68 years, served as a private in Company C, Eleventh Regiment West Virginia Volunteer Infantry, from November 27, 1861, to December 24, 1864 (3 years and 27 days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of July 14, 1862, at \$8 per month by reason of concussion of head and resulting vertigo, and disease of left eye, and disease of testicles—result of mumps.

Address, Pennsboro, W. Va.

Board of surgeons, November 27, 1909, found diseased testicle, and disease of eyes and injury to head.

Medical testimony is that applicant, by reason of rheumatism, is unable to do manual labor; also has bad condition of eyes; has partial paralysis of left side; has atrophy of one testicle.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$30 a month is recommended.

H. R. 447. George Hostler, aged 67 years, served as a private in Company K, One hundred and ninety-second Regiment Pennsylvania Infantry, from February 20, 1865, to August 24, 1865 (6 months), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

Formerly pensioned under act of June 27, 1890, for disease of rectum and rheumatism at \$10.

Address, Siddonsburg, Pa.

Medical examination, May 16, 1906, shows pensioned disabilities only.

Dr. W. A. Yeagy testifies that soldier is afflicted with chronic intercostal neuralgia, catarrhal nephritis, and a torpid liver. He is growing worse with advancing age and is wholly incapacitated for manual labor.

Two near neighbors state that pensioner's property consists of a house and a half acre of land worth \$1,100, and his pension of \$12 a month.

An increase to \$20 a month is recommended.

H. R. 448. Jacob D. Welsh, aged 68 years, served as a sergeant in Company B, One hundred and sixty-sixth Regiment Pennsylvania Drafted Military Infantry, from October 24, 1862, to July 28, 1863; and as a landsman on U. S. S. *Princeton*, *Wabash*, and *Wissahickon*, United States Navy, from September 3, 1864, to June 30, 1865 (1 year 7 months and 1 day), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$8 per month by reason of right inguinal hernia (complete), rheumatism, and disease of heart.

Address, 203 North George Street, York, Pa.

Board of surgeons, February 2, 1898, found right inguinal hernia, rheumatism, and disease of heart.

Medical testimony is that applicant has enlarged heart and asthma; it appears that he is unable to do manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$30 a month is recommended.

H. R. 464. John Cooley, 69 years of age, served as a private in Company E, Fortieth Kentucky Volunteers, from September 14, 1863, to December 30, 1864, and is a pensioner under the act of June 27, 1890, at \$12 per month on account of epilepsy, disease of the heart, and general disability.

His claim on account of disease of the eyes and respiratory organs, chronic diarrhea, constipation, rheumatism, and disease of the heart, filed under the general law, was rejected by the Pension Bureau in July, 1900, upon the ground that a ratable degree of disability from these causes had not existed since the filing of the claim.

He was last examined by the Kingfisher (Okla.) board of surgeons on June 6, 1900, which board stated that while not having the dull expression of an epileptic, he appeared nervous and excitable, could not stand steadily with eyes closed, in attempting to walk with eyes closed turned sharply to the left; had a rapid, irritable heart action; was a sufferer from spasmodic epilepsy with optic aura, and had a retracted and tender stomach, with distension and tympanitis of the bowels.

It is shown by the testimony of Dr. Newman, of Shattuck, Okla., that he had treated the claimant for chronic bowel trouble, enlargement of the heart from organic valvular lesion, also for attacks resembling epilepsy in form, and a gradual progressing cataract of both eyes, impairing vision, and that by reason of these disabilities he is unable to perform manual labor.

It is further shown that the claimant owns no property and has no means of support aside from his pension.

His serious affliction and destitution warrant an increase of his pension to \$24 per month.

H. R. 499. Benjamin F. Ralls, 64 years of age, served as first class boy on the U. S. S. *Grampus*, *Great Western*, and *Gen. Bragg*, United States Navy, From August 23, 1864, to August 23, 1865, and is a pensioner under the act of February 6, 1907, at \$12 per month.

He was formerly pensioned under the act of June 27, 1890, at \$8 per month on account of lumbago, catarrh. disease of the rectum, and an enlarged prostate gland. He has never sought pension under the general law.

The Danville (Ill.) board of surgeons, which last examined him on October 10, 1906, found the lumbar muscles of the right side swollen, sensitive, and tense, with all movements of the trunk retracted, nasal catarrh, a very severe proctitis, and three internal piles as large as filberts, and enlargement of the prostate gland to about twice its normal size.

He is a resident of Geary, Okla., and is shown by the testimony of Dr. Browning, of that place, to be now afflicted with stomach trouble, lumbago, and piles of long standing. vertigo, and some men-

tal disturbance, the result of having been recently assaulted by being struck on the back of the head with a blunt instrument; that he looks older than the age given and is unable to do manual labor.

It is further shown that he is only able to do clerical work, but being a man of only ordinary education and because of his age is unable to obtain employment at such work; that he is worth less than \$500 and has no regular income except the pension which he is now receiving.

Some measure of relief, to aid in his support, is believed to be warranted by the facts set forth, and an increase of his pension to \$24 per month is recommended.

H. R. 507. Joshua Hubbard, about 66 years of age, served as a private in Company G, Thirty-third Indiana Volunteers, from September 16, 1861, to July 21, 1865, and was a prisoner of war from March 5, 1863, to April 1, 1863, when paroled.

He is now a pensioner under the general law at \$14 on account of disease of the throat and resulting slight deafness of both ears and rheumatism and resulting disease of the heart. Increase of pension was denied by the Pension Bureau in January, 1907.

He was last examined in December, 1906, by the Decatur (Ill.) board of surgeons and was then rated \$6 on account of disease of the throat and resulting slight deafness of both ears and \$15 for rheumatism affecting the right shoulder joint with inability to straighten the arm and disease of the heart.

He is a resident of Cimarron County, Okla., and, according to the testimony of Dr. C. W. Meyers, is still afflicted with disease of the throat and resulting impaired hearing and rheumatism and resulting disease of the heart and, in addition thereto, now also suffers from the effects of a fractured right limb between the ankle and knee, which conditions, together with the infirmities of old age, almost wholly incapacitate him for the performance of manual labor.

The soldier has a homestead claim in the semiarid region of Oklahoma, raising only very meager crops on a small cultivated part of the homestead, and is bordering on destitution.

His faithful service, covering a period of nearly four years, and his serious afflictions and destitution merit an increase of his pension to \$24 per month.

H. R. 654. John Dover, about 67 years of age, served as a musician in Company L, Second Regiment Pennsylvania Heavy Artillery, from October 28, 1861, to October 29, 1864, and is a pensioner under the act of June 27, 1890, at \$12 on account of the loss of the little finger of the left hand, rheumatism, piles, and severe deafness of both ears.

He was formerly pensioned under the general law at \$2 per month on account of the loss of the left little finger, the same being due to a gunshot wound received in action at Petersburg, Va., in June, 1864.

He was last examined 20 years ago by the Chicago (Ill.) board of surgeons, and was then rated \$2 for the loss of the finger, \$8 for piles, \$20 for severe deafness of both ears, and \$8 for rheumatism.

The soldier is a resident of Chicago, Ill., and is shown by the testimony of Dr. Lockhart, of that place, to be now totally deaf in the left ear and to be unable to hear ordinary conversation in the

right ear at a distance of 2 feet; to be still afflicted with bleeding piles; and that his rheumatism is getting worse gradually, so that he is unfit for any kind of labor.

Lay testimony filed shows that he has no property and no means of support aside from his pension.

Taking into consideration his advanced age, his honorable service of three years, and his destitution, an increase of his pension to \$24, to aid in his support, is proper.

H. R. 662. John Mertes, aged 66 years, served as a private in Company I, Twenty-third Regiment Illinois Infantry, from October 18, 1862, to September 24, 1863; March 29, 1865, to July 24, 1865 (1 year 3 months), and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of injury of both hands, disease of rectum, left inguinal hernia, obesity, and senile debility.

Address, 5751 Aberdeen Street, Chicago, Ill.

Medical certificate June 26, 1906, found above-pensioned disabilities; also rheumatism and injury to left ankle.

Dr. J. A. Waska examined soldier October 1, 1910, and found disease of heart and lungs, slight ataxia, weakness of lower limbs, disabled hands, due to burn, and is totally unable to perform manual labor.

Pensioner states he has no property and no income from any securities. M. T. Egand and William Unwin corroborate pensioner, and further say he has some sort of paralysis, has weak spells, and they have helped him up when he fell down.

Service, helplessness, and destitution, under the committee's rules, warrant a rating of \$30 a month.

H. R. 1127. William M. Freels, aged 65 years, served as a private in Company H, Seventh Regiment Tennessee Volunteer Mounted Infantry, from February 15, 1865, to July 27, 1865 (5 months 12 days), and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of chronic diarrhea, rheumatism, and disease of rectum.

Address, Oliver Springs, Tenn.

Board of surgeons September 20, 1899, found piles, diarrhea, rheumatism, and disease of heart.

Medical testimony is that applicant has chronic rheumatism and disease of the rectum and is unable to do manual labor.

The other testimony shows that the applicant's means are very limited.

An increase to \$20 a month is recommended.

H. R. 1539. Jacob C. Bloodworth, aged 65 years, served as a private in Company G, Twenty-ninth Regiment Illinois Volunteer Infantry, from August 11, 1864, to August 4, 1865 (1 year less 7 days), and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of rheumatism, disease of heart, chronic diarrhea, and disease of rectum.

Address, Brownsville, Ill.

Board of surgeons, December 4, 1907, found rheumatism, piles, diarrhea, and heart disease. Medical testimony is that applicant has chronic indigestion, rheumatism, disease of heart, and piles, and is unable to do manual labor.

Other testimony is that applicant has, for property, only his household goods and one blind mule, which are not worth more than \$50.

An increase to \$30 a month is warranted.

H. R. 1585. Daniel Remington, aged 72 years, served as a private in Company F, Thirty-second Regiment Ohio Volunteer Infantry, from February 12, 1864, to July 20, 1865 (1 year 5 months 8 days), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of rheumatism, impaired vision, disease of rectum, and senile debility.

Address, Fairpoint, S. Dak.

Board of surgeons, February 22, 1905, found rheumatism, impaired vision, disease of rectum, loss of teeth, impaired hearing, general debility, and weak heart.

Medical testimony is that applicant has chronic rheumatism, and is unable to do manual labor.

Other testimony shows that applicant does not own any property, real or personal.

An increase to \$30 a month is recommended.

H. R. 1586. John C. Carter, aged 69 years, served as a private in Company D, Fourth Battalion Ohio Infantry, from April 18, 1861, to July 12, 1865 (3 years 9 months), and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of gunshot wound right side of nose, disease of eyes, rheumatism, chronic diarrhea, and piles. All these disabilities and disease of heart shown by medical examination of July 15, 1890.

Formerly pensioned under the general law at \$4 for gunshot wound of right side of nose.

Address, Hot Springs, S. Dak.

Dr. R. D. Jennings testifies to finding that owing to wound of face soldier has lost sight of left eye; that he has chronic articular rheumatism, asthma, disease of heart, piles, and chronic indigestion.

Pensioner and comrades testify that he is unable to earn a living, and owns no property, real or personal, and has nothing to support himself and aged wife but a pension of \$12 a month.

His age, wounds, long service, and poverty warrant an increase to \$30 a month.

H. R. 1591. James L. McWilliams, aged 64 years, served as a private in Company I, Forty-ninth Regiment Missouri Infantry, from August 26, 1864, to August 2, 1865 (11 months), and is now a pensioner under the act of July 14, 1862, at \$17 per month for chronic diarrhea, piles, and disease of kidneys.

Address, Broken Bow, Nebr.

The medical examination of January 6, 1904, showed the pensioned causes. Dr. R. D. Jennings, of Hot Springs, S. Dak., has treated soldier for four years and finds him afflicted with disease of heart, chronic gastritis, piles, rheumatism, nephritis, and unable to do any labor; his disabilities are incurable and increasing.

Pensioner and his witnesses testify that he possesses no real or personal property, and no income but his pension.

An increase to \$24 is recommended.

H. R. 1926. Monroe Abbott, aged 74 years, served as a sergeant in Company K, Sixty-eighth Regiment Indiana Volunteers, from August 5, 1862, to May 20, 1865, and is now a pensioner under the general law at \$17 per month on account of a shell wound of the abdomen received in action at Missionary Ridge, Tenn., in November, 1863.

Increase of pension was denied by the Pension Bureau in August, 1911. He is a resident of Ashland, Oreg., and was last examined on July 5, 1911, by the Medford (Oreg.) board of surgeons, which found him suffering from the wound and resulting frequent epileptic seizures due to reflex action of the nerves. The Pension Bureau, however, declined to accept the epileptic seizures as a result of the wounds.

The surgeons then stated that the scar of the wound was 6 inches in length, tender, adherent, and dragging, with considerable loss of tissue, with sufficient internal adhesions to prevent or hinder complete lung expansion.

It is shown by the testimony of Dr. Brower, of Ashland, Oreg., that claimant is now subject to attacks of noninflammatory vertigo, causing complete unconsciousness, so much so and so often as to require the constant aid and attendance of another person, there being danger of his falling from the sidewalk or any height or in front of moving objects or vehicles, etc., these attacks occurring as often as once in every two or four weeks.

He is also shown to be a poor man, having no property except a home.

His serious afflictions, extreme age, long and faithful service, and his destitution warrant an increase of his pension to \$30 per month.

H. R. 2022. Hugh J. Hales, aged 68 years, served as a corporal and sergeant in Company F, Twelfth Regiment Kentucky Volunteer Cavalry, from August 10, 1862, to June 13, 1865 (2 years 10 months 3 days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$10 per month by reason of rheumatism, piles, indigestion, and general debility.

Address, Rockport, Ind.

Board of surgeons June 6, 1906, found disease of heart, rheumatism, constipation, disease of liver, and piles.

Was a prisoner of war.

Medical testimony is that applicant has heart disease, nervousness, and chronic constipation, alternating with dysentery and diarrhea, and is unable to do manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$30 a month is recommended.

H. R. 2232. Sarah Wallace, aged 76 years, is the widow of Charles Wallace, who served as a private in Company E, Fourteenth Regiment Iowa Volunteers, from October 16, 1861, to November 3, 1864, and who died July 20, 1904, while a pensioner under the general law at \$20 per month on account of impaired sight and hearing.

Claimant, who married the soldier on October 20, 1850, has been a pensioner under the act of June 27, 1890, ever since September 17, 1904.

Increase of pension is sought in the bill on account of a helpless son of the soldier, Neill Wallace, born on July 31, 1865, who is shown by proof filed with your committee to have suffered from brain fever during the early years of his life; to have been stricken with lung fever at the age of 14 years and with blindness between the ages of 15 and 16 years; to have been unable to walk since his fifteenth year; to have not grown or developed any; to require every care that is usually shown to an infant; and to be destitute, his mother having no financial resources except her pension of \$12 per month and about \$60 yearly derived from rent of her homestead, comprising 18 acres of land.

It having been shown that the son, Neill Wallace, has been helpless prior to his sixteenth year and ever since and that he is destitute, an increase of his mother's pension to \$24 per month to aid her in the care and maintenance of said son is in conformity with the rules of your committee.

H. R. 2371. Henry Zellner, 71 years of age, served as a private in Company G, Eighty-first Pennsylvania Volunteers, from September 5, 1861, to March 9, 1862, when discharged on account of rheumatism; in Company E, Twenty-seventh Pennsylvania Emergency Militia, from June 18, 1863, to July 31, 1863; and in Company C, Fifty-second Pennsylvania Volunteers, from September 25, 1863, to July 12, 1865; and is a pensioner under the act of February 6, 1907, at \$15 per month.

He was formerly pensioned under the general law at \$12 on account of rheumatism and resulting disease of the heart, which disabilities were incurred by him while he served in Company G, Eighty-first Pennsylvania Volunteers. Increase of pension under that law was denied in April, 1908.

He was last examined on March 25, 1908, by the Allentown (Pa.) board of surgeons, and was then found to be afflicted with rheumatism affecting the left knee joint and disease of the heart with dyspnea.

The soldier is a resident of Franklin Township, Pa., and according to the testimony of Drs. W. K. and C. J. Kistler is now stooped and decrepit, very weak in his lower extremities, and about worn out, presenting all the manifestations of advanced senility, with his heart in a myocarditic condition, atheroma of the arteries, and bladder trouble.

His neighbors state that he is now physically unable to perform any manual labor; that some five or six years ago he had a stroke of paralysis, from which he never fully recovered; that he has no property except household furniture, and no means of support aside from his pension, with a wife dependent upon him for support.

The case is a proper one for congressional legislation, and following precedents in like cases an increase of his pension to \$24 per month is recommended.

H. R. 2466. James Crain, aged 75 years, served as a sergeant in Company A, Thirty-first Regiment Illinois Volunteers, from August 15, 1861, to July 23, 1862, and is now a pensioner under the general law at \$24 per month on account of rheumatism and resulting disease of heart, he having been discharged from the service on a surgeon's certificate of disability by reason of rheumatism.

He subsequently served as second and first lieutenant and captain of Company L, Thirteenth Illinois Cavalry, from December 21, 1863, to August 31, 1865.

He resides at Frail, Mo., and was last examined on November 10, 1909, by the Gainesville (Mo.) board of surgeons, which described his then existing condition in part as follows:

We find his general physical condition very much impaired, is thin, pale, and weak. He claims he has to have an attendant at times.

Senile in appearance. We find slight evidence of arteriosclerosis. We find all joints affected by rheumatism, pain, crepitus, and stiffness on motion. hands drawn, right hand materially useless. Gets about very slowly from stiffened joints. Heart's action very rapid and weak, he suffers much from dyspnea. Prostate gland enlarged almost twice its normal size.

We rate him \$30 excluding all effects of advanced age.

Dr. Johnson, of West Plains, Mo., states that claimant is now (in May, 1911) confined to his bed with intercostal neuralgia and splenitis, complicated with colonitis, suffers also from rheumatism and senility and requires the constant aid and attendance of another person.

He has no means of support save his pension.

The necessity for congressional legislation in this case is apparent, and an increase of the soldier's pension to \$40 per month is just and proper.

H. R. 2471. Benjamin Reil, aged 75 years, who served as a private in Company E, One hundred and seventh Regiment Pennsylvania Infantry, from February 6, 1865, to July 13, 1865 (5½ months), is now pensioned at \$20 per month under act of February 6, 1907, for age.

Formerly pensioned under act of June 27, 1890, at \$10 for injury of right arm, disease of rectum and lungs, which were shown by medical examination of January 2, 1907, also left inguinal hernia, asthma, and senile debility.

Address, Ashland, Ohio.

The medical examination above shows him unable to earn a support, and neighbors affirm he can now do no work, has no property or support other than his pension, except what his wife earns taking in washing.

An increase to \$24 is proper.

H. R. 2473. Samuel Johnson, aged 67 years, served as a private in Company C, Ninth Regiment United States Colored Heavy Artillery, and private in Company D, Eighty-eighth Regiment United States Colored Infantry, from September 1, 1864, to August 31, 1865 (12 months), and is now a pensioner under the act of February 6, 1907, at \$12 per month.

He was formerly pensioned under the act of June 27, 1890, at \$10 per month by reason of rheumatism and disease of heart.

His post-office address is Norwalk, Ohio.

The soldier alleges physical inability to perform any labor; that he owns real estate valued at \$1,200; that he is suffering with great debility, rheumatism, lumbago, heart disease, and failing eyesight. The real estate is mortgaged for \$600. He has no other property or income aside from his pension.

The allegations of soldier are corroborated by medical and lay testimony filed in support of this claim.

On March 2, 1904, the board at Norwalk, Ohio, found that soldier suffered with rheumatism in both shoulders, both hips, both knees, left elbow, also in muscles of back and lumbar region; left elbow joint ankylosed; crepitation in joints. Action of heart violent, irregular; easily excited.

We recommend an allowance of \$30 per month.

H. R. 2524. Samuel Mishler, aged 67 years, served as a private in Company G, Sixty-seventh Regiment Illinois Volunteer Infantry, from June 2, 1862, to October 6, 1862, and as a corporal in Company C, One hundred and thirty-seventh Regiment Illinois Volunteer Infantry, from May 19, 1864 to September 24, 1864 (eight months), and is now a pensioner under the act of February 6, 1907, at \$12 per month.

He was formerly pensioned under the act of June 27, 1890, at \$10 per month by reason of rheumatism, neuralgia, and disease of heart.

He was originally pensioned under act of July 14, 1862, at \$4 per month on account of neuralgia and rheumatism.

Soldier's address is Eureka, Ill.

On July 1, 1908, the board at El Paso, Ill., found soldier suffering with rheumatism, the motion of knees so limited that it was difficult for him to walk.

The medical evidence filed in this claim shows soldier to be suffering with chronic rheumatism, especially severe in left hip and leg, and extending down the sciatic nerve to the foot, rendering locomotion difficult. Also he has facial neuralgia. Heart's action rapid and irregular. Total inability to perform manual labor.

A rating of \$24 per month is recommended.

H. R. 2528. Samuel Shropshire, aged 69 years, served as a private in Company C, Sixth Regiment United States Colored Heavy Artillery, from February 24, 1864, to May 13, 1866 (2 years 3 months), and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of loss of right eye, and left inguinal hernia, which are shown in certificate of examination dated March 11, 1891, which also shows rheumatism and a slight wound of right leg.

The surgeon of the home, Danville, Ill., states that soldier has a hernia of 20 years' standing, a double inguinal hernia, and he has total blindness and requires an assistant.

The Member introducing the bill says soldier is very poor, having no property, real or personal; and he is totally blind.

Address, Soldier's Home, Danville, Ill.

An increase to \$30 is recommended.

H. R. 2543. Sylvanus G. Peffe, aged 68 years, served as a private in Company I, One hundred and seventy-eighth Regiment Ohio Volunteer Infantry, from August 22, 1864, to June 29, 1865 (10 months), and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of diarrhea and disease of lungs.

He was formerly pensioned under the act of July 14, 1862, at \$2 per month by reason of diarrhea.

The soldier's address is Normal, Ill. He alleges he is now disabled for manual labor, has no income other than his pension.

Medical evidence on file shows soldier in poor health, loss of sight left eye, extreme tenderness over whole abdomen.

The Member introducing this bill certifies that soldier has no property, real or personal; no income except pension; that he is in an enfeebled physical condition; and is unable to earn a livelihood.

On June 12, 1907, the board at Peoria, Ill., reports stomach dilated and distended, rectum relaxed, evidence of external piles, senility.

A rating of \$24 is recommended.

H. R. 2808. George G. Hughes, aged 67 years, served as a private in Capt. Bard's independent company, Ohio Volunteer Infantry, from September 8, 1862, to October 3, 1862 (25 days), and is now a pensioner under special act, at \$12 per month.

He was formerly pensioned under the act of July 14, 1862, at \$6 per month by reason of nasopharyngeal catarrh and resulting slight deafness of left ear.

Address, Burlington, Ky.

Board of surgeons, February 28, 1908, found no rating.

Medical testimony is that applicant has chronic nasal catarrh and general nervous debility and is unable to perform either mental or manual labor.

Other testimony is that applicant has a home and no income but his pension.

An increase to \$24 a month is recommended.

H. R. 3027. Joseph R. Peck, aged 74 years, served as a second lieutenant in Company I, Fourteenth Regiment West Virginia Volunteers, from September 11, 1862, to December 28, 1862, when he resigned on account of disability, and is now a pensioner under the act of February 6, 1907, at \$15 per month.

He was formerly pensioned under the act of June 27, 1890, at \$10 per month by reason of gastrointestinal catarrh, piles, neuralgia, double inguinal hernia, and senile debility.

He has never applied for pension under the general law.

The Chillicothe (Mo.) board of surgeons, which last examined him on April 1, 1903, found him afflicted with gastric catarrh, inflammation of the rectum, one large pile $1\frac{1}{2}$ by 1 inches and several smaller ones from one-half to three-fourths of an inch in diameter, inflamed, ulcerated, and bleeding on very slight irritation, and a double incomplete inguinal hernia.

Claimant is a resident of Breckenridge, Mo., and is shown by the testimony of Drs. Little and Goins, of Hamilton and Breckenridge, Mo., respectively, to be now wholly incapacitated to earn any part of a livelihood, due to the infirmities of age, a fracture of the neck of the femur, leaving a stiff hip joint, piles, a hernia, arteriosclerosis, rheumatism, and chronic prostatitis.

Evidence of neighbors, filed April 22, 1912, shows that he owns a house and lot assessed at \$500, its real value \$1,500, its rental value \$100 a year. This is all the property he owns. He occupies the house as his residence.

An increase is justified by reason of his age and weighty disabilities to \$24 a month.

H. R. 3029. William D. Parks, 69 years of age, served as a private in Company F, Fourth Provisional Enrolled Missouri Militia, from

May 7, 1863, to November 22, 1863, and is a pensioner under the act of February 6, 1907, at \$12 per month.

He was formerly pensioned under the act of June 27, 1890, at \$10 per month on account of rheumatism, disease of the stomach and kidneys, and general debility. He has never sought pension under the general law.

The Cameron (Mo.) board of surgeons, which last examined him on February 21, 1906, found him afflicted with rheumatism affecting both shoulders, elbows, wrists, knees, and right ankle, with some limitation of motion; an enlargement of the left knee; disease of the stomach; and paralysis agitans of both arms and hands.

He is a resident of Lathrop, Mo., and according to the affidavit of Dr. McConkey, of Lathrop, Mo., is still afflicted with the chronic rheumatism, is badly crippled up, and also is afflicted with paralysis agitans and general debility, and is unable to do manual labor of any kind.

The claimant for several years was janitor of a church, but recently had to give up his occupation and is now totally disabled for doing any manual labor and is in destitute circumstances.

It having been shown that claimant is suffering from disabilities of an extreme nature, is totally disabled for labor, and destitute, an increase of his pension to \$24 to aid in his support is recommended.

H. R. 3299. Elizabeth Staffen, aged 48 years, is the widow of Christopher Staffen, who served as a wagoner in Company F, Ninthieth Regiment Illinois Infantry, from August 9, 1862, to June 6, 1865 (2 years 10 months).

Address, 423 Ann Street, Fond du Lac, Wis.

Soldier was pensioned at \$30 under special act, January 28, 1909. Formerly pensioned at \$12 under act of June 27, 1890. He died December 1, 1909, and the accrued pension was paid this widow. Her claim under act of April 19, 1908, was rejected, as her marriage to the soldier was subsequent to June 27, 1890, viz, August 3, 1890.

Dr. E. E. Atkins, who has been applicant's family physician for the last 14 years, testifies that her constant care and overwork during the last 6 years of the soldier's life has caused a general breaking down of her whole system. Two neighbors testify that she is not possessed of any property, real, personal, or mixed, her only means of support being what she can earn from her labor and the contributions of others.

Following precedents as to the date of her marriage, and taking into consideration her broken-down system, induced by her labors in behalf of the soldier, and that she is partly supported by the contributions of others, a pension of \$12 a month may be allowed.

H. R. 3316. Alvis Sharp, aged 81 years, served as second lieutenant in Company F, One hundred and twenty-second Regiment Illinois Volunteer Infantry, from August 15, 1862, to April 11, 1863 (eight months), and is now a pensioner under the act of February 6, 1907, at \$20 per month.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of neuralgia, disease of heart, partial paralysis of right lower limb, and senile debility.

Soldier alleges total inability to do any work; that he is so nearly helpless as to require frequent aid of another person; that he has

no income other than his pension, which is wholly inadequate to maintain him.

The medical and lay testimony filed shows soldier to be paralyzed and helpless and without any income except pension.

The claim of the soldier is amply sustained by the evidence.

The board at Parsons, Kans., on May 18, 1898, found intercostal neuralgia, heart disease, pleurisy, chronic rheumatism, sciatica, debility, and nervousness. All these render him wholly disabled for any labor.

A rating of \$30 per month is recommended.

H. R. 3713. Edward Kiniry, aged 69 years, served as a private in Company D, First Regiment Illinois Volunteer Light Artillery, from August 28, 1861, to September 16, 1864 (3 years 18 days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$8 per month by reason of disease of liver and bowels and severe deafness of right ear and slight of left.

Address, 1011 Catalpa Street, Pueblo, Colo.

Board of surgeons, October 16, 1901, found chronic diarrhea, rheumatism, paralysis agitans, and left inguinal hernia.

Medical testimony is that applicant has hernia, not securely held by truss, and is unable to do manual labor; also has rheumatism and general weakness.

Other testimony is that applicant has no property.

An increase to \$30 a month is recommended.

H. R. 3724. Thomas Inman, aged 68 years, served as a private in Company H, Fifty-fourth Regiment Illinois Infantry, from December 1, 1861, to October 15, 1865 (3 years and 11 months), and is now a pensioner under the general law at \$12 per month on account of piles.

He was formerly pensioned under the act of June 27, 1890, at \$6 per month by reason of disease of rectum.

Medical certificate, August 1, 1906, found piles and evidence of chronic diarrhea; also heart disease. Increase rejected recently.

Pensioner, November 2, 1911, alleges piles and heart disease, causing general weakness. He says he owns house and lot, his home, and household effects, and his income is his pension of \$12 a month. He estimates the value of his home at \$400.

Two physicians testify that soldier is totally disabled by reason of hemorrhoids and heart disease.

Neighbors also testify that he is totally disabled and has no income other than his pension and no property whatever except his little home.

An increase to \$36 is recommended.

H. R. 3841. Henry Cutberth, 69 years of age, served as a private in Company E, Sixth Provisional Enrolled Missouri Militia, from April 10, 1863, to August 2, 1864, and had a prior service from June 6, 1861, to August 5, 1861, in Company K, Greene County (Mo.) Home Guards.

He is now a pensioner under the act of February 6, 1907, at \$12, and was formerly pensioned under the act of June 27, 1890, at \$10

per month on account of rheumatism, disease of the heart, an injury of the right arm, varicose veins of the left leg, and senile debility.

He has never sought pension under the general law.

The soldier was last examined on February 1, 1905, and was then found to be suffering from rheumatism affecting the right shoulder and both knees, with one-half limitation of motion in the shoulder and right leg and to a lesser degree in the left leg; disease of the heart, with a history of dyspnea; soreness and stiffness of the right elbow joint, due to an ancient dislocation, the elbow being ankylosed at an angle of 15°; muscular tremor and varicose veins of the left leg.

He is a resident of Highlandville, Mo., and, according to the testimony of Dr. Pierce, of that place, is still afflicted with rheumatism, with his feet badly crooked and out of shape, the ankle of left foot measuring 13½ inches in the calf and left leg 19½ inches, while the right ankle measures 11 inches and the calf 16 inches; disease of the heart; obesity, his weight being 294 pounds; and kidney trouble, his urine containing both sugar and albumin.

His neighbors state that he is totally incapacitated for the performance of labor, being so crippled that he can not stoop over and has to get down on his knees before he can reach the ground, and that he has no means of support aside from his pension.

He is worthy and deserving of congressional relief, and, following precedents in like cases, an increase of his pension to \$30 per month is recommended.

H. R. 3915. Joel Parsons, aged about 71 years, served as a corporal in Company B, Fourth Regiment West Virginia Volunteers, from July 5, 1861, to July 5, 1864, and is now a pensioner under the general law at \$17 per month on account of lumbago and piles and resulting disease of rectum.

Increase of pension was denied by the Pension Bureau in September, 1908.

The Marysville (Ohio) board of surgeons, which last examined him on August 26, 1908, found him suffering from a degree of atrophy of the lumbar muscles, stooping and resuming upright position with difficulty, with slight crepitation of the large joints and difficulty in lifting; heart sounds and blood vessels indicating a degree of degeneration commensurate with his years; and piles and disease of rectum, with two points of ulceration that bleed readily.

Drs. Green and Rubel, of Columbus, Ohio, the claimant's place of residence, state that the soldier is now totally disabled for labor by reason of the pensioned causes, and that at least part of the time he requires an attendant.

He is a medal-of-honor man, the medal having been awarded to him for most distinguished gallantry in action at Vicksburg, Miss., in May, 1863, while a member of a volunteer storming party.

He has no property and no means of support save his pension.

In the event of claimant's helplessness by reason of the pensioned causes his remedy would be in the Pension Bureau, but taking into consideration his advanced age, long and distinguished service, and his destitution, an increase of his pension to \$30 per month is believed to be justified.

H. R. 4054. Nannie Slayton, aged 66 years, is the widow of Austin C. Slayton, who served as a private in Company K, Third Regiment Vermont Volunteer Infantry, from June 21, 1861, to July 27, 1864, and she is not a pensioner under any act.

Address, Upper Sandusky, Ohio.

Soldier was pensioned under act of June 27, 1890, at \$12 per month. He died February 9, 1898. Applicant and soldier were married January 28, 1871. According to applicant's own statement she was divorced from soldier a few hours before his death. The certified copy of the decree of divorce shows that they were divorced February 9, 1898.

Applicant's claim was rejected by the Bureau of Pensions March 5, 1903, on the ground that she was not soldier's legal widow, she having been divorced from him.

Applicant was soldier's wife for 27 years, and as she was divorced the same day he died and is now an old woman in necessitous circumstances, an allowance of \$12 a month may be granted.

H. R. 4075. Hugh H. Wilson, aged 69 years, served as a private in Company F, One hundred and fourth Regiment Illinois Volunteer Infantry, from August 14, 1862, to June 6, 1865 (2 years 9 months 22 days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$10 per month by reason of loss of sight of left eye and disease of lungs.

Address, 121 Wabash Street, Pittsburgh, Pa.

Board of surgeons, April 12, 1903, found loss of left eye and rheumatism.

Medical testimony is that applicant is short of breath; has vertigo; has lost sight of left eye and vision in the right eye is very much impaired; is troubled with insomnia. By reason of his disabilities he is unfitted to do manual labor. His shortness of breath is asthmatic in character.

Neighbors testify that he owns a house and lot valued at \$2,000, mortgaged for \$1,000; this is the whole of his property. His only income is his pension.

An increase to \$30 is recommended.

H. R. 4351. Peter W. Gadbow, aged 69 years, served as a private in Troop C, Sixth Regiment United States Cavalry, from May 22, 1861, to May 1, 1863 (2 years), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

Formerly pensioned under act of June 27, 1890, at \$10 for rheumatism and senile debility.

Address, St. Paul Minn.

Medical examination, January 16, 1907, says pensioner is disabled from earning a support by manual labor, due to age, injury to right arm, and impaired vision.

Dr. E. J. Davis, testifies that while in soldier's home he treated soldier for retention of urine, cystitis, and organic disease of heart.

Friends testify that he is old and very feeble, has no property whatever, and no income but his pension.

The Member introducing the bill knows pensioner and corroborates above statement of neighbors.

An increase to \$30 is recommended.

H. R. 4616. Francis M. Perkins, aged 72 years, served as a private and sergeant in Company E, First Regiment Ohio Volunteer Light Artillery, from August 23, 1861, to July 10, 1865 (3 years 10 months and 17 days), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of injury of left elbow joint, rheumatism, disease of heart, and senile debility.

Address, R. F. D., New London, Ohio.

Board of surgeons, January 4, 1905, found pensioned causes.

Medical testimony is that applicant has dilatation of the heart, with myocarditis; has at times almost complete suppression of the urine; has inflammatory rheumatism; has a dropsical condition, distending the lower extremities to their capacity; is wholly unable to do manual labor; has also chronic interstitial nephritis.

Other testimony is that applicant has a home worth about \$600. His income is his pension.

An increase to \$30 per month is recommended.

H. R. 4617. Byron Lilly, aged 65 years, served as a private in Company E, Thirty-second Regiment Ohio Volunteer Infantry, from January 18, 1864, to July 20, 1865 (one year six months and two days), and is now a pensioner under the act of June 27, 1890, at \$12 per month for rheumatism, disease of heart, lungs, and stomach.

Address, Mount Vernon, Ohio.

Board of surgeons, March 21, 1906, found rheumatism, disease of heart, stomach trouble, and bronchitis.

Medical testimony is that applicant has rheumatism; hypertrophy of the heart and valvular lesion; has pulmonary engorgement; has distended abdomen and habitual constipation; is unable to do manual labor.

Other testimony is that applicant has for property a house and lot which he owns jointly with his wife, worth about \$400; has no income but his pension.

An increase to \$30 a month is recommended.

H. R. 4639. William T. Tway, aged 68 years, served as a private in Company G, Thirty-third Regiment Indiana Volunteer Infantry, from August 24, 1861, to July 21, 1865 (3 years 11 months), and is now a pensioner under the act of July 14, 1862, at \$17 per month on account of lame back, catarrh, and deafness. He was originally pensioned under general law on account of lame back; he was then transferred to rolls under act of June 27, 1890, and then his pension was renewed under general law.

His address is Milford Center, Ohio.

He now alleges total inability to perform any labor and destitution as reasons for an increase of pension. The auditor of the county in which soldier resides certifies that tax duplicate does not show any property of any character in the name of the soldier.

Medical and lay testimony shows that soldier is wholly unfitted for the performance of any manual labor.

The medical examining surgeon at Columbus, Ohio, on March 21, 1909, reports soldier to be an invalid, confined to his house a great deal of the time, wholly unable to do any manual labor owing to

deafness of both ears, catarrh, lame back, enlarged prostate, and inflammation of kidneys.

This soldier's military service was long and honorable; his present physical condition is deplorable; and it is only justice that he should be granted an increase which he has earned and deserves.

A rating of \$36 per month is recommended.

H. R. 4890. Samuel D. Preston, aged 74 years, served as a saddler in Company G, First Regiment Vermont Cavalry, from March 11, 1863, to June 21, 1865 (2 years and 3 months), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

Address, Hot Springs, S. Dak.

Formerly pensioned under act of June 27, 1890, at \$12, for rheumatism, disease of rectum and liver, and general debility. Medical examination, September 18, 1901, showed the pensioned disabilities, also disease of right lung and loss of teeth.

Surg. Wilcox, of the soldier's home at Hot Springs, certifies that soldier is troubled with heart weakness, edema of ankles, chronic constipation, lumbago, indigestion, and has no teeth.

The county auditor says the records show no property of any kind assessed against soldier.

Pensioner and two comrades testify that he is totally incapacitated for manual labor, that he has no real or personal property, and no income but his pension.

An increase to \$30 is recommended.

H. R. 5104. Conrad Hamman, aged 82 years, served as a private in Company I, One hundred and second Regiment Ohio Infantry, from February 5, 1864, to May 24, 1865 (1 year and 3 months), and is now a pensioner under the act of July 14, 1862, at \$30 per month on account of chronic diarrhea, results of smallpox, and disease of eyes.

Address, Ashland, Ky.

An increase to \$30 was given on medical examination of June 18, 1911, which related solely to pensioned cause; this rating precludes ability to perform manual labor.

There is ample evidence that pensioner has no property whatever, and his sole income is his pension.

Of an extreme age, suffering grievous ills from Army service, destitute, and helpless, an increase to \$40 is warranted.

H. R. 5106. John W. Fry, aged 68 years, served as a private in Company H, Forty-second Regiment, and Company E, Ninety-sixth Regiment Ohio Volunteer Infantry, from August 15, 1862, to July 7, 1865 (2 years 11 months and 22 days), and is now a pensioner under the act of June 27, 1890, at \$12 per month, for rheumatism and disease of respiratory and digestive organs.

Address, Ashland, Ohio.

Board of surgeons, August 12, 1908, found disease of eyes, sun-stroke, and headache.

Medical testimony is that applicant has incurable retinitis; this disease is beyond remedy and he can only be held from total blindness by occasional large doses of iodide of potassium.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$30 a month is recommended.

H. R. 5107. Charles Allen, aged 70 years, served as a private in Company D, Fifth Regiment West Virginia Volunteer Cavalry, from May 8, 1861, to June 19, 1863, and as a sergeant in Company F, Third Regiment West Virginia Volunteer Cavalry, from February 15, 1865, to June 30, 1865 (total service, 2 years 5 months and 26 days), and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of rheumatism, multiple tumors, and disease of heart.

Address, Loudonville, Ohio.

Board of surgeons, February 24, 1904, found disease of heart, rheumatism, impaired vision, and multiple tumors.

Medical testimony is that applicant has rheumatism: his heart shows, by its sound and irregular action, sympathy with his rheumatic condition; has many tumors in various parts of the body: is unable to do manual labor.

Other testimony is that applicant has a few household goods and no income but his pension.

An increase to \$30 a month is recommended.

H. R. 5254. Samuel J. Miller, aged 67 years, served as a second lieutenant in Company E, Twentieth Regiment Maine Infantry, from August 5, 1862, to June 4, 1865 (2 years and 10 months), and is now a pensioner under the general law at \$17 per month on account of malarial poisoning, resulting piles, and disease of eyes.

Pensioned at \$4 from February 26, 1892, and \$6 from March 2, 1895; \$8 from October 19, 1898; \$10 from September 11, 1901; and \$14 from September 3, 1902; then as above.

Application for further increase rejected October 5, 1910. Medical certificate describes malaria—tender over stomach, spleen, and liver; slightly jaundiced, rectum inflamed, hemorrhoidal vessels engorged, and has arcus senilis. Heart: Mitral insufficiency, dyspnea, cyanosis, and dilatation of left heart; slight arteriosclerosis, chronic parenchymatous nephritis.

Pensioner's address, Waldoboro, Me.

He alleges disease of liver and heart, which renders him unfit for manual labor; that he has a sick wife, his home mortgaged, and income very small.

Drs. Charles L. Randal and R. S. Benner testify to malarial poisoning, with liver troubles, liver enlarged, and crowding heart: organic heart disease with great dyspnea, dilatation; has angina pectoris; absolute rest prescribed; can not do any work.

George L. Storer and Edward J. H. Milles testify that without his pension he would be in destitute circumstances; that his home is mortgaged for all it is worth; and that his wife is an invalid.

His long service, his acute disabilities, and his necessitous circumstances justify an increase to \$30.

H. R. 5257. William W. Keene, aged about 68 years, served as a private in Company H, Twenty-ninth Regiment Maine Volunteers, from September 22, 1864, to May 31, 1865, and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of disease of the

nervous system. He has never applied for pension under the general law.

The Augusta (Me.) board of surgeons, which last examined him, on September 8, 1897, found him afflicted with atrophy of the lumbar muscles and a constant general tremor of all the muscles of the body (paralysis agitans), with an uncertain gait, handling things with difficulty, and unable to perform any manual labor.

Dr. Giddings, of Gardiner, Me., states that claimant is now senile in appearance, and suffers from arteriosclerosis, disease of heart, a deep depression on either side of the sacral region, a marked flattening over the right hip and gluteal region, and disease of kidneys, the urine containing albumen, and that he is totally disabled.

He owns no property and has no means of support save his pension.

On account of soldier's advanced age, poverty, and total disability your committee are of the opinion that he should have an increase of his pension to \$24 per month.

H. R. 5341. Henry Flesher, aged 65 years, served as a private in Company F, One hundred and thirteenth Regiment Illinois Volunteer Infantry, from December 1, 1863, to September 16, 1865 (21½ months), and is now a pensioner under the act of July 14, 1862, at \$16 per month on account of disease of eyes and resulting partial loss of sight.

The soldier's address is Watseka, Ill.

The soldier alleges destitution and inability to perform any manual labor. He has no income or means of support other than pension he receives. In addition to the pensioned causes he is suffering with a fracture of right forearm.

Medical and lay testimony has been filed sufficient to sustain the statement of soldier on all points.

On November 14, 1905, the pension bureau specialist at Danville, Ill., reported a distinct loss of vision in both eyes—to a degree that would warrant a higher rating than soldier now receives.

The soldier's long service and his severe disability, which is naturally increasing, together with his needy condition, justify an allowance of \$36 per month.

H. R. 5343. George H. Bolsey, aged 70 years, served as a private in Company A, First Regiment Missouri Engineers, from July 28, 1861, to June 22, 1865 (3 years 11 months), and is now a pensioner under the act of July 14, 1862, at \$17 per month on account of chronic diarrhea and resulting disease of liver and rectum, and nasopharyngeal catarrh.

Address, Vermilion, Ill.

Medical examination, April 13, 1910, reveals the pensioned disabilities, also chronic prostatitis.

Dr. J. G. Kilgore, April 4, 1911, declares that his physical condition is such that he is unable to do any manual labor, which is corroborated by the above examination of the board of surgeons.

Pensioner and two neighbors testify that he can not perform manual labor; that he has no income other than his pension, which must support his family of four persons: and that his property consists of a house and lot valued at \$1,200, which is his home.

An increase to \$30 is recommended.

H. R. 5392. Galen H. Lotz, aged 66 years, served as a private in Company E, Fifty-first Regiment Pennsylvania Volunteers, from March 15, 1864, to July 17, 1865, and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of rheumatism and resulting disease of heart, and dropsy.

He has never applied for pension under the general law.

The Middleburg (Pa.) board of surgeons, which last examined him on March 21, 1900, found him suffering from rheumatoid arthritis of the articulations of both hands, the distal joints of first and second fingers deformed, thickened to twice their normal size, and stiffened, standing in a semiflexed position, with all the joints of hands and fingers more or less stiffened and muscles atrophied, and one-third loss of motion in the shoulders, hypertrophy of the left ventricle with marked dyspnea after exertion, and slight edema of feet and ankles, and general debility.

His condition has not improved since he was last examined, it being shown by the testimony of Dr. Wilson that he is still afflicted with valvular disease of heart and edema of legs and deformity of fingers, the result of rheumatism.

Aside from this, he now also has a well-matured cataract of the right eye and able only to discern light, but not form, and an advancing cataract in the other eye, with vision reduced to 15/70.

It is further shown that claimant is a poor man without any property.

He is worthy and deserving of congressional relief, and an increase of his pension to \$24 per month is recommended.

H. R. 5429. William Francis, born on February 16, 1852, 60 years old, is the helpless and dependent son of Abraham Francis, who served as a private in Companies F and G, Sixteenth Pennsylvania Cavalry, from September 10, 1862, to August 11, 1865, and who died September 10, 1894, while a pensioner under the general law at \$8 on account of a ventral hernia.

His widow, who married him on June 30, 1864, was pensioned under the act of June 27, 1890, at \$8 per month from October 13, 1894. She died March 12, 1901.

Pension was sought by the claimant as a helpless son of the soldier on November 3, 1909, but the claim was rejected on the ground that he had been over 16 years of age at the time of his father's death.

Dr. M. L. Focht, October 10, 1911, testifies that he can do no labor of any kind, gets around on crutches, has rheumatism and disease of bones, all joints enlarged and distorted, his right foot resting on top of his left foot; his arms and legs are full of scars from which pieces of bone—dead bone—have been removed.

Pensioner and witnesses declare he has no property, real or personal, and his only income what he can earn. He is helped by the overseers of the poor.

Other testimony shows that he has been in this helpless condition since he was 12 years old.

No one is now pensioned on above service.

Following numerous precedents a pension of \$12 may be allowed.

H. R. 5543. David M. Kinsey, aged 69 years, served as a private in Company E, Sixty-ninth Regiment Indiana Volunteer Infantry, from July 27, 1862, to November 26, 1862 (4 months), and is now a

pensioner under the act of July 14, 1862, at \$17 per month on account of disease of lungs, result of measles. His original allowance was under act of July 14, 1862; he then was paid under act of June 27, 1890, and then restored under general law.

The soldier declares he is physically disabled for any labor; that he has no income or means of support other than his pension. He owns the little home in which he lives, valued at \$1,100, but which is mortgaged for nearly its full value.

Medical evidence shows that soldier's condition is such as to require constant treatment.

In addition to pensioned cause, soldier suffers with chronic interstitial nephritis.

Soldier's financial needs and physical condition are fully shown by medical and lay testimony.

An examination by the medical board at Muncie, Ind., on August 2, 1911, indicates that soldier is suffering with severe case of arteriosclerosis, as also with moderate inflammation of eyes; heart irregular and intermittent; markedly diminished respiratory murmur; there is mild chronic rhinitis; vocal chords thickened; fauces, pharynx, and larynx red and inflamed.

Owing to grievous disabilities, a rating of \$24 per month is recommended, notwithstanding his short term of service.

H. R. 5565. John McPhern, aged 64 years, served as a private in Company E, Seventeenth Regiment Pennsylvania Cavalry, from September 13, 1864, to June 16, 1865 (9 months), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

Formerly pensioned under act of June 27, 1890, at \$8 for rheumatism and disease of lungs.

Address, Mansfield, Ohio.

Dr. J. H. Nichols, January 7, 1912, finds soldier disabled by bronchitis, nervousness, loss of appetite, and constipation; soldier is confined to the house; is unable to labor.

Dr. W. S. Meeklen finds nervousness, lung trouble, completely broken-down man, unable for any kind of labor.

Many other affiants testify that soldier has no real estate, only household goods in the way of personal property, and that now his only means of support is his pension.

An increase to \$24 is proper.

H. R. 5566. Michael R. Godfrey, aged 68 years, served as a private in Company B, Twenty-ninth Regiment Ohio Infantry, from October 12, 1864, to July 13, 1865 (9 months), and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of dyspepsia and general debility, shown on medical examination March 18, 1896.

Address, Ashland, Ohio.

Two physicians testify that pensioner is suffering from angina pectoris and rheumatism, so much so that he is unable to do work.

The county auditor certifies that he has no property listed for taxation.

Others testify that he has no property whatever and no income other than his pension.

An increase to \$24 is recommended.

H. R. 5567. Joseph C. Johnson, aged 66 years, served as a private in Company C, One hundred and twenty-first Regiment Ohio Infantry, from December 21, 1863, to July 17, 1865 (1 year and 7 months), and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of disease of left testicle, rheumatism, and disease of heart.

Formerly pensioned under the general law at \$2 for disease of left testicle.

Address, Lorain, Ohio.

Medical examination, February 20, 1907, rates for disease of left testicle, chronic diarrhea, rheumatism, and heart disability.

Dr. J. M. Santilburg, April 18, 1912, declares that soldier is suffering from a weak heart, chronic malarial poisoning, chronic stomach and intestinal indigestion, chronic diarrhea, and piles; further, he can do no manual labor, owns no property, and lives with his daughter.

Other affiants declare he owns no property, has no income but his pension, and can do no labor.

An increase to \$30 is recommended.

H. R. 5646. James W. Longbon, aged 86 years, served as a first lieutenant and adjutant in the Ninety-first Regiment Ohio Volunteer Infantry from July 24, 1862, to September 5, 1863 (1 year 1 month and 11 days). Discharged on surgeon's certificate of disability, and is now a pensioner under the act of July 14, 1862, at \$24 per month on account of rheumatism and resulting disease of heart.

Address, 225 Columbia Street, Marion, Ohio.

Board of surgeons, May 11, 1910, found rheumatism, disease of heart, and piles, and rated at \$30 per month.

Medical testimony is that applicant has rheumatism and resulting heart disease; he is suffering from almost total deafness, and from loss of memory to a considerable extent. Mentally as well as physically he is in a perilous condition.

Applicant states that he owns no real estate or personal property except a life interest in a property which nets him \$180 per year. He also has a pension (at this time) of \$24 per month. Neighbors testify that he has no property, real or personal.

An increase to \$36 is recommended.

H. R. 5664. James M. Francis, aged 71 years, served as a private in Company D, Sixty-fourth Regiment Ohio Volunteer Infantry, from October 21, 1861, to July 3, 1862, when discharged on surgeon's certificate of disability. He also served as a corporal in Company I, One hundred and seventy-fourth Regiment Ohio Volunteer Infantry, from August 29, 1864, to June 28, 1865; total service, 1 year 6 months and 11 days.

Is now a pensioner under the act of July 14, 1862, at \$24 per month for chronic diarrhea and resulting disease of rectum, and disease of lungs.

Address, Marion, Ohio.

Board of surgeons, July 13, 1910, found chronic diarrhea, disease of rectum and heart, and rated at \$30 a month.

Medical testimony is that applicant is suffering from pensioned disabilities, and also from resulting semiparalysis of the whole left side of his body, and is totally unable to do manual labor.

Other testimony is that applicant has a house and lot valued at \$860. It is so assessed, and under the Ohio law this is the real value of the property. This appears to be all the property the applicant owns. It further appears that he has no income but his pension.

An increase to \$40 is recommended.

H. R. 5783. Patrick J. Carroll, aged 73 years, served as a private and sergeant in Company I, One hundred and seventy-fourth Regiment New York Volunteers, and in Company I, One hundred and sixty-second Regiment New York Volunteers, from October 9, 1862, to October 12, 1865, and is now a pensioner under the act of February 6, 1907, at \$15 per month.

He was formerly pensioned under the act of June 27, 1890, at \$10 per month by reason of a wound of face and senile debility.

His general-law claim, filed in 1884, and based on the wound, which he claims to have received in July, 1863, at Donaldsonville, La., was properly rejected, on the ground of his declared inability to furnish the proof relative to its incurrence.

At the time of his last medical examination, on July 5, 1905, by the Lewiston (Me.) board of surgeons, he suffered from a weak heart, the wound of face, and general senile debility.

He is an inmate of the Togus (Me.) Home, and is shown by the testimony of Dr. Gareelon, of Lewiston, Me., to be totally incapacitated for labor by reason of the wound, rheumatism, and deafness of the right ear.

He owns no property, and has no income save his pension.

His advanced age, total debility, and poverty merit an increase of his pension to \$24 per month.

H. R. 5789. John Breneman, aged 70 years, served as a private in Company E, Twenty-eighth Regiment Iowa Volunteer Infantry, from August 9, 1862, to July 31, 1865 (3 years less 9 days), and is now a pensioner under the act of July 14, 1862, at \$17 per month, on account of injury to left knee.

Address, 1903 South Moseley Street, Wichita, Kans.

Board of surgeons, December 20, 1911, found pensioned cause, also enlarged veins and hernia, and rated at \$24 per month.

Medical testimony is that applicant has a right inguinal hernia, varicose veins of right leg, varicose veins of left leg, his left patella is displaced and fixed upward, the left leg is shortened, has arteriosclerosis, and is unable to do manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$36 a month is recommended.

H. R. 5810. Dennis Willard, aged 78 years, served as a private in Company C, Forty-eighth Regiment Indiana Volunteer Infantry, from October 19, 1861, to October 23, 1863 (2 years and 4 days), was a prisoner of war, and is now a pensioner under the act of July 14, 1862, at \$24 per month on account of gunshot wound of left thigh and resulting varicose veins, and chronic diarrhea and resulting piles.

Address, El Dorado, Kans.

Board of surgeons, October 6, 1909, found pensioned causes, and rated at \$30 per month.

Medical testimony is that applicant has internal and external hemorrhoids and piles, prolapsus of the rectum, and chronic diarrhea; also suffers from gunshot wound of left thigh; is unable to do manual labor; has varicose veins.

Other testimony is that applicant has a home and some vacant lots; value not given.

An increase to \$36 a month is recommended.

H. R. 5814. Levi B. Wightman, aged 71 years, served as a second lieutenant in Company L, Second Regiment Illinois Volunteer Light Artillery, from December 17, 1863, to August 9, 1865 (1 year 7 months and 22 days), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$8 per month by reason of senile debility, rheumatism, piles, and catarrh.

Address, 354 Indiana Avenue, Wichita, Kans.

Board of surgeons, January 4, 1905, found age, rheumatism, and piles.

Medical testimony is that applicant, by reason of paralysis, is unable to do manual labor.

Other testimony is that applicant's only source of support is his pension.

An increase to \$30 a month is recommended.

H. R. 6069. John Miller, about 67 years of age, served as a bugler in Company F, Second Regiment Arkansas Volunteer Cavalry, from July 24, 1863, to May 28, 1865, and is a pensioner under the act of June 27, 1890, at \$12 per month on account of disease of the right leg and nearly total deafness of the left ear.

His general-law claim, based upon an injury to the right leg, was properly rejected by the Pension Bureau in 1892 upon the ground that said disability was not the result of his military service, and according to his own admission existed prior to enlistment.

He was last examined in February, 1892, by the Sparta (Mo.) board of surgeons, and was then found to be suffering from three ulcers on the right leg on the inner side of the crest of the tibia and one on the external side 5 inches above the ankle, all about the size of a silver quarter, open and discharging, and a varicose condition of the superficial veins of the leg, extending from the ankle to the knee and half way up the thigh (chronic periostitis and ostitis of the right femur and tibia), nasal catarrh, and total deafness of the left ear and slight deafness of the other ear.

The soldier is a resident of Sparta, Mo., and is shown by the testimony of Dr. James, of that place, to be able only to walk with great difficulty by the aid of a cane, the result of a tubercular affection of the knee and hip; to have a tubercular sinus on the thigh of 43 years' standing, also three other sinuses of 4 years' standing, and an ulcer on the same leg below the knee, with stiffness of the knee to the extent that it can not be bent the least particle; that he is also very nervous, and totally incapacitated for the performance of any manual labor.

It is further shown that he has no means of support aside from his pension.

Some measure of relief, to aid in his support, is warranted by reason of his serious afflictions, total disability, and destitution, and an increase of his pension to \$30 per month is recommended.

H. R. 6126. John Zedeker, aged 66 years, served as a private in Company E, Thirty-second Regiment Ohio Infantry, from July 27, 1861, to January 1, 1863 (one year five months).

Address, Upper Sandusky, Ohio.

He is pensioned under the act of June 27, 1890, at \$12 per month by reason of rheumatism, disease of heart, and left inguinal hernia.

Medical examination, May 23, 1900, shows rheumatism, disease of heart, kidney trouble, nervous prostration, left inguinal hernia.

Dr. J. C. Rauth testifies that he finds soldier suffering with valvular heart disease, rheumatism, and gastritis; and that he will never be able to earn a livelihood from manual labor.

Pensioner and his witness, C. B. Hare, testify that he has no money or property except household goods of less than \$300 value, and no income other than his pension.

An increase to \$30 a month is recommended.

H. R. 6249. Daniel B. Boynton, served as a private in Company B, One hundred and first Regiment Pennsylvania Infantry, from March 4, 1865, to June 25, 1865 (3 months 21 days), and is now a pensioner under the act of February 6, 1907, at \$15 per month. Was pensioner under general law at \$4, from May 15, 1888, for disease of liver, and under act of June 27, 1890, from August 7, 1890, at \$12 for loss of sight of right eye with deformity and disease of left eye and liver.

Certificate of medical examination January 13, 1908, rate for disease of liver, \$12; disease of heart, \$8; disease of lungs, \$2; also, has fractured hip of three years standing.

Dr. H. F. Fitch, of Brownfield, Me., which is pensioner's post-office address, testifies that examination shows a fracture of the neck of left femur which has failed to unite, a very weak heart, and a marked debility; soldier being unable to walk or to attend to calls of nature without assistance. Dr. C. H. Marston corroborates this testimony.

The selectmen of Brownfield testify that pensioner is destitute of all property of any kind and has no income or support other than a pension of \$15 from the United States and a State pension of \$6 a month.

Committee, January 15, 1912, voted an increase to \$24 a month.

H. R. 6262. Lyman H. Evans, aged 71 years, served as a private in Company B, First Regiment Iowa Volunteer Cavalry, from June 13, 1861, to February 15, 1866 (4 years 8 months 2 days), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$8 per month by reason of partial inability to earn a support by manual labor.

Address, Des Moines, Iowa.

Board of surgeons, March 27, 1901, found disease of heart, rheumatism, piles, and foot injury.

Medical testimony is that applicant has rheumatism and debility, weak heart, and arterial disease, and suffers from an injured ankle: is unable to do manual labor.

Other testimony is that applicant has no property except some household goods and no income but his pension.

An increase to \$30 a month is recommended.

H. R. 6353. Jacob Henry, about 68 years of age, served as a private in Company A, Eleventh Indiana Cavalry, from November 15, 1863, to June 16, 1865, and is a pensioner under the act of June 27, 1890, at \$12 per month on account of rheumatism and resulting disease of the heart and partial paralysis of the right side.

He is a resident of Fostoria, Ohio, and was last examined by the Tiffin (Ohio) board of surgeons on September 24, 1902, and was then suffering from rheumatic stiffness of all phalangeal articulations of both hands, stiffness and pain in the shoulders, hips, knees, and ankles, motion in these joints being limited one-fourth; mitral disease of the heart, with cyanosis, dyspnea, and edema, and partial paralysis of the right side, manifested by a weak condition of the muscles, with inability to fully hold or grasp anything with that hand, dragging the right foot, etc. The surgeons then stated that all the muscles of the right side were soft and lax from nonuse, the right arm swollen, and that he was totally disabled for labor by reason of the paralysis.

Dr. Henry, of the claimant's home, states that the soldier is now suffering from dilatation of the heart, with an aortic regurgitation and resulting dyspnea and edema of the extremities; that his rheumatism is of such a long standing that the fingers of each hand are so deformed as to be of little use; that he also has rheumatic deposits of the feet; that he had partially recovered from a recent operation for cancer; and that he is totally disabled for labor and requires the aid and attendance of a second person, inasmuch as he is unable to feed, dress, or undress himself.

He owns no property and has no means of support aside from his pension.

He is worthy of the sympathetic consideration of Congress, and an increase of his pension to \$30 per month, following precedents in like cases, is recommended.

H. R. 6437. David Gough, aged 74 years, served as a private in Company H, Seventy-third Ohio Infantry, and private in Company F, Seventeenth Regiment Veteran Reserve Corps, from January 2, 1862, to January 9, 1865 (3 years), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age. He was formerly pensioned under the general law at \$12 for gunshot wound of right arm.

Medical examination, July 29, 1903, reveals gunshot wound of right arm, some heart trouble, and double inguinal hernia.

Address, Leesburg, Ohio.

Dr. R. E. Holmes, February 8, 1912, says he suffers from valvular heart trouble, double inguinal hernia, and gunshot wound, which totally disable him for manual labor.

It is further shown that he can not be left alone; that the only support for himself and wife is his pension.

An increase to \$36 per month is recommended.

H. R. 6814. John L. Smith, about 69 years of age, served as a private in Company E, Third New York Cavalry, from August 19, 1861, to April 13, 1865, and was a prisoner of war from July 21, 1863, to November 20, 1864, when paroled.

He is now a pensioner under the general law at \$17 per month on account of chronic diarrhea and resulting disease of the liver, piles, and disease of the lungs. Increase of pension was denied by the Pension Bureau in December, 1910, the bureau holding that his then existing condition was due in part to other causes.

He is a resident of Port Jervis, N. Y., and was last examined on November 9, 1910, by the Middletown (N. Y.) board of surgeons, which rated him \$24 for the disabilities of accepted service origin and \$14 for dilatation and hypertrophy of the heart, with general cyanosis, edema of the eyelids, and constant dyspnea.

It is shown by the affidavit of Dr. Medrick, of Port Jervis, N. Y., that the claimant is afflicted with chronic diarrhea, disease of the liver, piles, and disease of the lungs; that the diarrhea is periodical and is followed by constipation for two or three days; liver contracted; that he has moist râles through the chest, raises much frothy mucous suffers much pain in his back and left leg with rheumatism; has disease of the heart; and is obliged to sit up much of the time at night to sleep; and requires the frequent and periodical aid and attendance of another person.

He owns a house and lot worth \$3,000, in which he resides, which is, however, encumbered by a mortgage of \$1,450.

He is wholly dependent upon his pension for a support.

Having rendered nearly four years of faithful service and having been a prisoner of war for 16 months, and being now totally disabled for labor and in straitened financial circumstances, an increase of his pension to \$36 per month is believed to be warranted.

H. R. 6832. Anton Ohnesorg, aged 74 years, served as a private in Company A, Third Regiment Missouri Cavalry, from September 20, 1861, to January 23, 1865, and is now a pensioner under the general law at \$17 per month on account of rheumatism and resulting disease of heart. Increase of pension was denied by the Pension Bureau in July, 1909.

He was a prisoner of war from April 25, 1864, to December 5, 1864.

The Louisiana (Mo.) board of surgeons, which last examined him, on June 2, 1909, rated him \$24 for the pensioned disabilities and described his condition in part as follows:

Has about one-third loss of motion in upper joints; his knees are stiff so he can hardly squat down; his ankles are stiff, and they seem to be swollen; there is a regurgitant murmur heard at apex; is not able to work; in fact, he has given up his work on account of his disabilities.

He is a resident of Bowling Green, Ky., and, according to the testimony of Dr. Tinsley, of his town, is not able to follow his occupation as shoemaker, owing to his rheumatism and heart trouble. He owns a store building at La Belle, Mo., the income from which, after deducting expenses, does not exceed \$100 per year.

Taking into consideration his advanced age, long and honorable service, and his destitution, an increase of his pension to \$30 per month is proper.

H. R. 6838. James C. Rule, aged 73 years, served as a corporal in Company E, Fifth Regiment Missouri State Militia Cavalry, from March 18, 1862, to April 15, 1865 (3 years 1 month), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of disease of lungs and rectum, rheumatism, and senile debility.

Address, Farber, Mo.

Application under general law, based on disease of lungs, rejected April 20, 1887, on the ground that disease of lungs is not attributable to soldier's service, but to measles existing before enlistment.

Medical examination January 16, 1897, shows all the pensioned causes; none other.

Dr. W. May, December 6, 1911, certifies suffering from chronic diarrhea, rheumatism, and curvature of the spine, and is totally disabled for manual labor.

Other testimony shows that pensioner is worth \$250 above his indebtedness, and his income is about 50 cents a day for himself and wife.

An increase to \$30 per month is recommended.

H. R. 7048. Alfred Williamson, aged 70 years, served as a private in Company C, Sixty-ninth Regiment Ohio Volunteer Infantry, from December 23, 1861, to July 17, 1865 (3 years 6 months 24 days), and is now a pensioner under the act of July 14, 1862, at \$17 per month on account of sore throat, rheumatism, and diarrhea and resulting disease of rectum.

Address, P. O. Box 68, Sandusky, Ohio.

Board of Surgeons, December 14, 1910, found sore throat, twelve-eighteenths; rheumatism, twelve-eighteenths; chronic diarrhea, seventeen-eighteenths; and disease of rectum, twelve-eighteenths. The board found that the right leg had been amputated below the knee. The board, after an exceptionally full and detailed examination, rated at \$24 per month.

Medical testimony is that applicant has chronic disease of the throat and nasal catarrh and chronic diarrhea and rheumatism; his right leg has been amputated below the knee. He is unable to do manual labor. The amputation of leg occurred in 1891.

The applicant has no property and no income but his pension.

An increase to \$36 a month is recommended.

H. R. 7137. Edmond Dunahoo, aged 69 years, served as a private in Company K, Sixth Regiment Illinois Volunteer Cavalry, from October 9, 1861, to November 5, 1865 (4 years 26 days), and is now a pensioner under the act of June 27, 1890, at \$12 per month for injury to right hip, disease of heart, and injury to right hand.

He was formerly pensioned under the act of July 14, 1862, at \$6 per month by reason of injury to right hip and disease of left breast.

Address, Fairfield, Ill.

Board of surgeons, October 5, 1907, found injury to right trochanter (described above as injury to right hip); also has right inguinal hernia.

Medical testimony is that applicant has right inguinal hernia, atrophy of right hand; is unable to do manual labor.

Other testimony is that the only property applicant has is household furniture sufficient to furnish a three-room cottage, and that his income is his pension.

An increase to \$30 per month is recommended.

H. R. 7231. Shepherd M. Knapp, aged 75 years, served as a second lieutenant in Company E, One hundred and fourth Regiment Ohio Volunteers, from August 20, 1862, to June 17, 1865, and is now a pensioner under the general law at \$24 per month on account of chronic diarrhea and resulting disease of stomach and rheumatism and resulting disease of heart. Increase of pension was denied February 11, 1910, the Pension Bureau holding that his then existing condition was due largely to other than the pensioned causes.

He was last examined at his home on January 27, 1910, at which time the examining surgeon described his condition in part as follows:

Body is some emaciated, abdomen flat and tympanitic over all parts. There is history of obstinate constipation, with recurring attacks of diarrhea. The proximal joints of the first and second fingers of both hands are one-fourth enlarged and sore. The knee joints crepitate audibly on motion. Has marked hypertrophy of heart, with beginning dilatation. On assuming erect position gets dizzy and has frequent attacks of syncope.

There is a history of three paralytic attacks three years ago. He drags the right foot in walking. He can dress, undress, and feed himself without assistance. There are choreic tremors of both arms that render the acts slower than normal. There is incontinence of urine, rendering the use of a urinal necessary. Urine contains traces of albumen and mucus. Rating, excluding all disabilities except disease of the rectum and heart disease, \$30. He can perform no manual labor whatever.

Accepting the history of frequent attacks of syncope and believing that they are caused by heart disease he is entitled to a rating of \$50 per month for frequent and periodical aid and attendance.

He is a resident of Massillon, Ohio.

Medical and lay testimony filed with your committee shows that the soldier has been entirely incapacitated for any work for a number of years and quite a good deal of the time has to be cared for, and at the present time has to be watched continually, even when able to get about; that he walks in a shambling gait and at times needs assistance, and when he sits down is able to rise only with great difficulty and with assistance.

He has no property and no means of support aside from his pension, except the interest from \$600.

Considering the claimant's extreme age and his serious afflictions your committee is satisfied that he at times requires the aid and attendance of another person and therefore recommend an increase of his pension to \$40 per month. In the event of his becoming helpless so as to require the frequent and periodical aid and attendance of another person within the meaning of the pension laws his further remedy is in the Pension Bureau.

H. R. 7237. Ezeriah Evans, aged 72 years, served as a private in Company C, One hundred and fifth Regiment Ohio Volunteers, from August 12, 1862, to July 17, 1865, and is now a pensioner under the general law at \$17 per month on account of fistula in ano and resulting disease of rectum.

Increase of pension was denied in March, 1906. He was last examined by the Canton (Ohio) board of surgeons on February 21,

1906, and aside from the pensioned causes was found to be afflicted with rheumatism and resulting one-fourth loss of motion in left knee joint, enucleation of right eye, and considerable dilatation of the stomach.

He is a resident of North Lawrence, Ohio, and is shown by the testimony of Dr. Campbell, of Orrville, Ohio, to have neither voluntary nor involuntary control of the sphincter ani as a result of the operation for fistula and to be minus one eye and afflicted with disease of heart, tenderness over the liver, and to be complaining of pain in left knee, which measures one-half inch more than the right, and to walk with a slight limp.

He owns a small house and lot worth \$400, but has no means of support save his pension.

Considering claimant's age and disabilities your committee is fully satisfied that he is totally incapacitated for labor, and inasmuch as he is also poor, an increase of his pension to \$30 per month is recommended.

H. R. 7295. Charles D. Beman, aged 71 years, served as a private, corporal, and first lieutenant and adjutant. Was enrolled on June 1, 1861, and mustered out June 14, 1864. Was enrolled as of Company I; mustered out as of Companies F and G, same regiment, which was Seventh Regiment, Missouri Volunteer Infantry. He also served as a private in Company F, Fifth Regiment United States Infantry, from June 5, 1866, to June 5, 1869; total service, 6 years and 13 days. Rebellion service, 3 years and 13 days.

Is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

Was formerly pensioned under the act of June 27, 1890, at \$12 per month for disease of rectum and skin and irritable heart.

Address, State Soldiers' Home, Erie County, Ohio.

Board of surgeons, July 8, 1891, found pensioned causes.

There is in evidence a statement made by the surgeon at the soldiers' home that the applicant is a physical wreck and unable to perform manual labor.

The Member introducing the bill states that the applicant has no property in his name and is without means of support other than his pension.

An increase to \$30 a month is recommended.

H. R. 7383. Jeremiah Taylor, aged 67 years, served as a sergeant in Company G, Fifteenth Regiment Kansas Volunteer Cavalry, from September 11, 1863, to October 19, 1865 (2 years 1 month 8 days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of July 14, 1862, at \$6 per month by reason of fracture of left leg.

Address, Dennison, Kans.

Board of surgeons July 9, 1890, found fracture of leg and rheumatism.

Medical testimony is that applicant has catarrh and nephritis: is unable to do manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$30 a month is recommended.

H. R. 7403. Elias D. Keoppel, aged about 69 years, served as a private in Company G, Fifth Regiment United States Cavalry, from October 12, 1862, to October 12, 1865, and is now a pensioner under the act of February 6, 1907, at \$12 per month.

He was formerly pensioned under the general law at \$8 per month by reason of a gunshot wound of right hand received in action near Spottsylvania Court House in May, 1864.

Increase of pension under that law was denied in January, 1907. He was last examined in February, 1909, by the Marshalltown (Iowa) board of surgeons, and was rated at \$6 for the wound, \$4 for piles, and \$4 for lumbago.

It appears from medical and lay testimony filed with your committee that claimant since November, 1909, has suffered two strokes of paralysis, and is at the present time suffering from paresis, is unfit to care for himself or to be left alone, and requires constant attendance; has no prospect of any recovery and will continue to grow worse. He owns no property and has no means of support save his pension, and depends on help given him by an unmarried daughter, who herself is dependent on her labor.

The necessity for congressional legislation is apparent, and an increase of the soldier's pension to \$30 per month is proper.

H. R. 7639. Henry Wheeler, aged 69 years, served as a private in Company A, Twenty-first Regiment Maine Volunteer Infantry, from September 10, 1862, to August 25, 1863 (1 year less 15 days), and is now a pensioner under the act of June 27, 1890, at \$12 per month for gunshot wound of left lower jaw, left varicocele, tumor of left groin, and disease of heart.

He was formerly pensioned under the act of July 14, 1862, at \$4 per month by reason of gunshot wound of left lower jaw.

Address, National Soldiers' Home, Me.

Board of surgeons, December 19, 1906, found gunshot wound of left lower jaw, disease of heart, tumor in the left groin, and rupture, left side, and rated at \$24 per month.

Medical testimony is that applicant is very lame; testimony describes gunshot wound of left lower jaw, tumor in left groin; has an oblique inguinal hernia of immense size, which can not be retained by any truss; has heart difficulty; has paralysis of right hand; his abdomen is tympanitic; is unable to do manual labor.

Other testimony is that applicant has no income but his pension. An increase to \$30 a month is warranted.

H. R. 7665. Francis M. Harris, aged 65 years, served as a private in Company H, and Company A, Veteran Battalion, Tenth Regiment Kansas Volunteers, from December 23, 1861, to August 30, 1865 (three years eight months), and is now a pensioner under the act of February 6, 1907, at \$12 per month.

He sought pension under the act of June 27, 1890, and under the general law on account of chronic diarrhea, with resulting disease of stomach.

These claims were rejected in the ground that a ratable degree of disability did not exist.

Claimant has a record of treatment in the Army, from August 3, 1864, to August 15, 1864, and several of his comrades have testified in his general-law claim that he had a fever while in the service

which resulted in a sore on his left arm, and that during this sickness all his hair came out, leaving him perfectly bald.

The medical testimony in his case shows that in August, 1877, his left arm was amputated on account of necrosis of both bones of the forearm.

The sore caused by this death of the bones was evidently the fever sore alleged as of service origin.

He was last examined on April 11, 1906, by the Gainesville (Mo.) board of surgeons, which described his then existing condition in part as follows:

Left arm has been amputated 3 inches from acromion process. There is slight enlargement, the result of fracture, of the fifth, sixth, and seventh ribs on the left side. We find pain and limitations of motion of right shoulder joint, both hip joints, and left knee joint; motion in these joints being limited one-half. Has cataract of left eye. There is tenderness on pressure over liver. His tongue is slightly coated; has two internal pile tumors, one-fourth inch in diameter. Nerves and pharynx are considerably inflamed.

Proof filed with your committee shows that claimant is now afflicted with the loss of his left arm above the elbow, has indigestion, constipation, and almost total blindness of the left eye—as the result of cataract—and is poor.

An allowance of \$30 a month is recommended.

H. R. 8506. Albert B. Kidder, 71 years of age, served as sergeant in Company B, One hundred and fifty-first New York Volunteers, from August 25, 1862, to June 26, 1865, and is a pensioner under the act of February 6, 1907, at \$15 per month, and was formerly pensioned under the act of June 27, 1890, at \$12 per month on account of varicose veins of right leg, and locomotor ataxia.

He has never sought pension under the general law.

The soldier was last examined in 1896 by the Milwaukee (Wis.) board of surgeons and was then found to be suffering from varicose veins, slight deafness of the right ear, and locomotor ataxia.

It is shown by the affidavit of Dr. Stratton, of Milwaukee, Wis., that the claimant walks with difficulty with the aid of a cane, having a typical ataxic gait, with knee jerks absent and Rhomberg symptoms, difficulty and pain in ascending, dyspnea, edema of the feet and ankles, and chronic interstitial nephritis, and is totally incapacitated for manual labor.

He is an inmate of the Milwaukee (Wis.) Home and has no property and no income aside from his pension.

His serious afflictions, total disability, and his long and faithful service, warrant an increase of his pension to \$24 per month.

H. R. 8526. Joseph B. Randall, aged 71 years, served as a private in Company E, One hundred and thirty-second Regiment Indiana Volunteer Infantry, from May 2, 1864, to September 7, 1864 (4 months and 5 days), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$10 per month by reason of disease of liver, spleen, and stomach, enlarged prostate gland, nervous debility, and bronchial catarrh.

Address, Shelbyville, Ind.

Board of surgeons, February 7, 1906, found disease of liver, stomach, and abdomen, disease of heart, enlarged prostate, piles, catarrh, and rheumatism.

Medical testimony is that applicant has severe nervous trouble and catarrh of head; it appears that the applicant suffers from a tremor of head and body, which renders him incapable of doing manual labor.

It appears that the applicant has no source of support but his pension.

An increase to \$24 a month is recommended.

H. R. 8713. Thomas Price, aged 75 years, served as a first lieutenant and quartermaster of the One hundred and second Regiment New York Volunteers, from August 6, 1864, to November 13, 1864, and is now a pensioner under the act of February 6, 1907, at \$20 per month.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of age. He had a prior service as first lieutenant in Company K, Twenty-second New York National Guard, from June 18, 1863, to July 24, 1863, when mustered out with his company.

He has never applied for pension under the general law.

He was last examined in May, 1900, by the Racine (Wis.) board of surgeons, and was then suffering from general debility and impaired memory.

He is an inmate of the Milwaukee (Wis.) National Home, and according to the testimony of Dr. Hayes, of Milwaukee, is still afflicted with an impaired memory and also has a complete left inguinal hernia, stomach trouble, and an injury to the right arm, followed by septic infection, rendering the arm practically useless. He is a poor man without any property.

On account of his extreme age, total disability, and destitution, an increase of his pension to \$30 per month is proper.

H. R. 8750. Granville Koger, aged 68 years, served as a corporal in Company C, First Regiment Alabama Volunteer Vidette Cavalry, from September 19, 1863, to June 16, 1864 (8 months and 27 days), and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of double inguinal hernia (right complete, left incomplete).

Address, Alto, Tenn.

Board of surgeons, January 25, 1899, found rupture of right side and of left, injury of right leg, and functional heart trouble.

Medical testimony is that applicant has double inguinal hernia, weak heart, and is almost a physical wreck. It appears that applicant is unable to do manual labor.

It appears that applicant has no means of support except his pension.

An increase to \$24 per month is recommended.

H. R. 8756. John W. Harris, about 68 years of age, served as a private in Company M, First Ohio Cavalry, from February 15, 1864, to September 13, 1865, and is a pensioner under the act of June 27, 1890, at \$12 on account of rheumatism, disease of the heart, dyspepsia, and general debility.

He sought pension under the general law in May, 1890, on account of rheumatism, but abandoned the prosecution of his claim. He has a record of treatment for rheumatism in the service from December 11 to December 21, 1864.

The Greenup (Ky.) board of surgeons, which last examined him on November 18, 1903, found him afflicted with chronic articular rheumatism, involving the right shoulder and right hip, with muscular rheumatism, involving the muscles of both shoulders, right lumbar, gluteal, and thigh muscles of the right leg; with inability to elevate arm to the level of the shoulder by an angle of $22\frac{1}{2}^{\circ}$; disease of the heart, the result of rheumatism; chronic indigestion; chronic bronchitis; and general debility.

He is a resident of Portsmouth, Ohio, and is shown by the affidavit of Dr. Sellards, of that place, to be now totally blind in the right eye and to have impaired vision of the left eye; to have a weak heart's action, to be suffering from chronic gastritis, and to be unable to perform manual labor.

His neighbors state that he is not physically able to do any kind of manual labor; that he, however, works sometimes because of necessity, and that his condition is such that he ought not to work; that he is a man of good habits and wholly dependent upon his pension for a support, having no property of any kind.

In such cases your committee usually grant relief by increasing the pension to \$24 per month.

H. R. 8870. Samuel A. Houser, about 65 years of age, served as a private in Company M, One hundred and ninety-eighth Pennsylvania Volunteers, from August 30, 1864, to June 3, 1865, and is a pensioner under the act of June 27, 1890, at \$12, on account of a gunshot wound of the left hand with loss of the little finger, an injury to the right wrist, and disease of the heart.

He was formerly pensioned under the general law at \$3 per month on account of the wound of hand with loss of little finger, the wound having been received in action at Five Forks, Va., in April, 1865.

He was last examined 20 years ago and was then found to be afflicted with the wound, ankylosis of the right wrist, with deformity of the hand and at least one-half loss of motion, and enlargement of the heart.

He is a resident of Stroudsburg, Pa., and is now unable to perform any manual labor by reason of dropsy, the result of mitral and aortic lesions, as shown by the testimony of Dr. Miller, of the claimant's home.

It is further shown that he is entirely dependent upon his pension and upon his family for his support and maintenance.

On account of his serious afflictions, total disability, and utter destitution, an increase of his pension to \$24 per month is recommended.

H. R. 9051. James E. Bowers, aged 66 years, served as a sergeant and first sergeant in Company K, Sixth Regiment Tennessee Cavalry, from July 7, 1862, to July 26, 1865, and is now a pensioner under the act of February 6, 1907, at \$12 per month.

He was formerly pensioned under the general law at \$8 per month by reason of an affection of the spine.

The Cairo (Ill.) board of surgeons, which last examined him, on April 13, 1904, found him afflicted with chronic bronchitis, lumbago, a fatty tumor of left thigh, 4 inches in diameter, and rheumatism, with swelling of the knee, ankle, and wrist joints.

He resides at Charleston, Mo., and is shown by the testimony of Dr. Boone, of that place, to be totally disabled for manual labor by

reason of asthma, the attacks having become increasingly worse, and that his mental condition had also become weakened during the past two years.

He has no income except from a small market garden, the ground of which does not belong to him.

In such cases your committee usually grant relief by increasing the pension to \$30 per month.

H. R. 9292. True Hart, aged 68 years, served as a private in Company A, Ninth Regiment Michigan Volunteers, from February 1, 1864, to October 10, 1865, and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of impaired hearing of both ears, which disability existed at the time of his last medical examination, made 21 years ago.

He sought pension under the general law in May, 1890, on account of brain fever, but abandoned the prosecution of the claim.

He resides at Midland, Mich., and is shown by the testimony of Drs. Johnson, Towsley, and Magill, of that place, to be now unable to earn a living by manual labor on account of gastric catarrh, with gastric ulcer, rectal trouble, rheumatism, and eczema over the scalp and body.

The postmaster of his town states that he can perform but very little labor and is in very stringent circumstances financially. He owns a small home, which is mortgaged for \$250.

In the opinion of your committee the facts set forth warrant an increase of the soldier's pension to \$24 per month.

H. R. 9348. John Hanlon, aged 85 years, served as a private in Company A, Second Regiment New York Heavy Artillery, from August 15, 1861, to September 29, 1865, and is now a pensioner under the act of February 6, 1907, at \$20 per month.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of a gunshot wound of the right hand, rheumatism, disease of heart, and senility. He was originally pensioned under the general law at \$5 per month on account of the wound of hand, which was received in action at Deep Bottom, Va., in August, 1864.

He was last examined on February 18, 1903, by the Milwaukee (Wis.) board of surgeons and was found to have lost the little finger of the right hand one-fourth inch from the metacarpo-phalangeal articulation as a result of the gunshot wound, with inability to flex the little and ring fingers on the palm of the hand, crepitus in the shoulder, elbow, and wrist joints of the right arm and shoulder of the left arm, some distortion of the finger joints of the right hand, with slight distortion of the fingers of the left hand, and senile debility, the board stating that claimant was an old and feeble man, somewhat emaciated, with a flabby muscular system.

It is shown by the testimony of Dr. Hayes, of Milwaukee, Wis., that the claimant is now afflicted with an enlarged prostate gland with moderate cystitis, impaired vision, synovial crepitation of all the large joints of the body, and totally disabled for labor, and on account of impaired sight and rheumatism to be rapidly reaching the point where he will require the aid of another person.

He is an inmate of the National Home at Milwaukee, Wis.

Having rendered four years of faithful service and being now extremely old, well-nigh helpless, and destitute an increase of his pension to \$30 per month is recommended.

H. R. 9404. Lucy B. Miller, aged 58 years, is the widow of John J. Miller, who served as a private in Company E, One hundred and fifty-fourth Regiment Indiana Infantry, from April 10, 1865, to June 10, 1865 (two months).

Address, Geneva, Nebr.

Soldier was pensioned under the general law at \$8 for disease of eyes.

The widow has no status under any law; not under the general law, as soldier did not die of the pensioned disability, and not under the act of June 27, 1890, or the act of April 19, 1908, as soldier's service was less than 90 days.

Soldier died October 24, 1894; he and this widow were married September 10, 1870, when he was 21 and she was not yet 16. They had 11 children, 5 of whom survive.

Applicant says she is in failing health by reason of hard work, stomach trouble, and age.

There is ample testimony to show that applicant has not remarried since soldier's death: that her property consists of four lots with a small residence thereon worth not to exceed \$900; this is her entire possession. She has no income.

A pension of \$12 a month is allowed.

H. R. 9559. John Bohland, about 65 years of age, served as a private in Company A, Second Battalion Nineteenth United States Infantry, from September 3, 1862, to September 3, 1865, and is a pensioner under the general law at \$30 per month on account of a fracture of the right forearm, rheumatism and resulting disease of the heart, and disease of the mouth, the result of scurvy. This rating was allowed in November, 1899, to commence from July 5, 1899, the date of the certificate of his last medical examination, made by the Lawrenceburg (Ind.) board of surgeons, which found that as a result of the fracture of the right forearm flexion of the elbow allowed but three-fourths range and that the forearm was of but little assistance in dressing; that he had rheumatism, with one-half normal range of motion only in the hips, knees, and ankles, and three-fourths range in shoulders, elbows, and wrists; that the middle and index fingers of the right hand were swollen and stiffened; had stiffness of the lumbar muscles, and had disease of the heart, with considerable dyspnea, and disease of the mouth, the result of scurvy. For these disabilities the board then recommended a rating of \$30 per month.

He is a resident of Batesville, Ind., and is shown by the testimony of Dr. Coomes, of that place, to be now suffering from a progressive muscular atrophy and paralysis of the right side, there being numbness and loss of motion in the right lower arm, wrist, and hand, the right hip shrunken, and the right upper leg 3 inches smaller than the left upper leg; impaired hearing of the right ear, nasal catarrh, constipation, and a rheumatic heart; that he can not walk but a short distance, and then only with a cane, and requires daily assistance in dressing.

He has no property, but his wife owns a house and lot, which they use as their home.

An increase to \$40 is recommended.

H. R. 9674. John R. Collins, aged 83 years, served as a private and sergeant in Company E, Sixty-third Regiment Ohio Volunteer Infantry, from September 8, 1861, to July 25, 1862 (10 months 17 days), and is now a pensioner under the act of February 6, 1907, at \$20 per month on account of age. Discharged on surgeon's certificate of disability.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of left inguinal hernia, impaired vision, and senile debility.

Address, Springfield, Ohio.

Board of surgeons, April 22, 1903, found hernia, deafness, senile debility, and disease of heart.

Medical testimony is that applicant is blind in both eyes, requires an attendant to lead him around, and is unable to do manual labor.

Other testimony is that applicant has no property and his income is his pension.

An increase to \$30 a month is recommended.

H. R. 9704. Francis M. Kittrell, aged 67 years, served as a corporal in Company A, Fifth Regiment Tennessee Infantry, from February 25, 1862, to April 4, 1865 (3 years 1 month), and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of disease of lungs and heart, rheumatism, disease of liver, and chronic diarrhea.

Address, Mansfield, Mo.

The pensioned disabilities were shown on medical examination, October 12, 1904, and rate soldier as totally disabled for manual labor.

Dr. J. B. Little, February 27, 1912, finds him suffering from disease of heart and lungs and kidney trouble, which prohibit the performance of manual labor.

Pensioner and others affirm that he has no property, is \$200 in debt, and has no income but his pension of \$12 a month, of which \$6 goes for house rent.

An increase to \$30 is proper.

H. R. 9782. George H. Devol, aged 73 years, served as a first lieutenant and adjutant in the Thirty-eighth Regiment Indiana Volunteer Infantry from August 25, 1861, to August 26, 1864 (3 years and 1 day), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

Was formerly pensioned under the act of June 27, 1890, at \$12 per month for injury of right hand and wrist and piles.

Address, 122 East Main Street, New Albany, Ind.

Board of surgeons, October 21, 1891, found pensioned causes.

Medical testimony is that applicant, from results of gunshot wound in right forearm, injuries resulting from a fall, nervousness, and general debility, is unable to do manual labor.

His long and honorable service and increase in disability warrant an increase to \$30 a month.

H. R. 9791. David B. Johnson, aged 66 years, served as a private in Company L, Fourth Regiment West Virginia Volunteer Cavalry, from July 8, 1863, to March 10, 1864, and in Company A, Seventeenth Regiment West Virginia Volunteer Infantry, from August 30, 1864, to June 30, 1865 (total service, 1 year 6 months 2 days), and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of double inguinal hernia, hemorrhoids, varicose veins of right leg, and cystitis.

Board of surgeons, December 19, 1894, found oblique inguinal hernia (on each side), piles, varicose veins of right leg, and cystitis.

Medical testimony is that applicant has double inguinal hernia, and the right one can not be held in place all the time by a truss: has, also, cystitis: is unable to do manual labor.

The county clerk states that the applicant is assessed with real estate valued at \$1,450, and with no personal property.

An increase to \$30 a month is recommended.

R. R. 9925. Robert L. Higgins, aged 63 years, served as a private in Company K, Fourth Regiment Tennessee Volunteer Mounted Infantry, from February 25, 1865, to August 25, 1865 (6 months), and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of insanity.

Address (of guardian), Auburn, Tenn.

Board of surgeons, August 8, 1903, found chronic mania of a permanent character. In other words, he is hopelessly insane.

A guardian has been appointed for the applicant.

From the testimony, it appears that applicant's pension is his only support.

An increase to \$24 a month is recommended.

H. R. 9926. David Turpin, aged 72 years, served as a private and sergeant in Company G, One hundred and forty-eighth Regiment Indiana Infantry, from August 9, 1862, to January 25, 1863, and from February 2, 1865, to September 5, 1865 (1 year and 1 month), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

Formerly pensioned under act of June 27, 1890, at \$8, for rheumatism and senile debility.

Address, New Berlin, Ill.

Medical examination, April 26, 1901, shows only the pensioned disabilities.

Dr. J. W. Robinson and Dr. L. D. Wiley have treated soldier for rheumatism affecting right shoulder, arm, and knee, so much so that it almost paralyzes his right side and unfits him for manual labor.

Neighbors testify that soldier, by reason of age and infirmities, is unable to earn a living; that his wife is blind; that the full value of all his property will not exceed \$100; and that the only means of support for him and his blind wife is his pension.

An increase to \$30 is recommended.

H. R. 9935. Peter M. McNelly, aged 77 years, served as a sergeant in Company B, Third Regiment Missouri State Militia Cavalry, from February 22, 1862, to March 13, 1865 (3 years and 21 days), and is now a pensioner under the act of February 6, 1907, at \$20 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of rheumatism, ventral hernia, and nasal catarrh.

Application under general law rejected.

Address, Ashley, Mo.

Board of surgeons, April 2, 1902, found rheumatism and excessive fatty deposit around the heart.

Medical testimony is that applicant is totally incapacitated for manual labor, by reason of hernia, chronic rheumatism, with lumbago and weakness of lower limbs, and dyspnea, very severe upon least exertion, due to chronic interstitial nephritis.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$30 is recommended.

H. R. 9941. John W. Bricker, 67 years of age, served as a private in Company K, One hundred and fifty-third Regiment Ohio Volunteers, from May 2, 1864, to September 9, 1864, and in Company A, Battalion, Forty-eighth Regiment Ohio Veteran Volunteers, from February 14, 1865, to February 13, 1866, and is a pensioner under the act of February 6, 1907, at \$12 per month.

He was formerly pensioned under the act of June 27, 1890, at \$8 on account of rheumatism, disease of the heart, and nervous debility. He has filed no claim to pension under the general law.

He is a resident of Elsberry, Mo., and was last examined in October, 1902, by the Louisiana (Mo.) board of surgeons, and was found to have crepitus in both wrists, left elbow, and both shoulders, the right wrist being one-fourth inch greater in circumference than the left, and the right elbow and right shoulder one-half inch greater; crepitation in both knees; and to have a constant muscular tremor, almost paralysis agitans, with patellar reflexes slightly exaggerated.

Dr. McAfee, of claimant's home, states that he made a thorough examination of the soldier on April 12, 1911, and found him afflicted with articular rheumatism, functional cardiac trouble, an enlarged prostate gland and renal complications, and internal hemorrhoids, which diseases incapacitate him for any manual labor of any sort.

He has no means of support aside from his pension.

He is worthy and deserving of relief and an increase of his pension to \$24 per month is justified.

H. R. 9942. David A. Pew, 69 years of age, served as a private in Company E, Seventh Missouri Volunteers, from June 24, 1861, to June 1, 1864, and is a pensioner under the act of February 6, 1907, at \$12 per month.

He was formerly pensioned under the act of June 27, 1890, at \$8 per month on account of an injury to the left ankle and nasal catarrh involving the right lachrymal duct.

He sought pension under the general law in 1890 on account of chronic diarrhea and an injury to the left ankle, but abandoned the prosecution of his claim.

The soldier is a resident of Louisiana, Mo., and was last examined on February 13, 1901, by the Hannibal (Mo.) board of surgeons, and was then found to be afflicted with nasal catarrh, blepharitis of the right eye, atrophy of the muscles of the left leg, tenderness in the

lumbar regions following the course of both sciatic nerves into the hips, crepitation in both shoulders, right wrist and knee, and left knee and ankle, inability to flex foot on leg past 45 degrees, disease of the heart with dyspnea after exercise, and general debility.

Dr. Miller, of the claimant's home, stated that he had treated the claimant for the past six months; that he is totally unable to perform his trade or perform work of any character to speak of, is suffering from arteriosclerosis with all its attending symptoms, muscular weakness and incoordination, heart weakness, vertigo, etc., and that he has no apparent chance of improvement.

Lay testimony filed shows that the claimant owns a home worth perhaps \$1,200, has been sick for quite a while, and is now scarcely able to get around.

It having been shown that the claimant is suffering from disabilities of an extreme nature, is totally disabled for labor, rendered three years of faithful service, and is in destitute financial circumstances, an increase of his pension to \$24 per month is proper.

H. R. 9994. Hiram C. Smith, aged 70 years, served as a private in Company G, Eighteenth Regiment Ohio Volunteer Infantry, from October 2, 1861, to November 9, 1864 (3 years 1 month), and is now a pensioner under the act of July 14, 1862, at \$17 per month on account of gunshot wound of left thigh and disease of back and kidneys.

His post-office address is Miamisburg, Ohio.

He claims an increase because he is wholly incapacitated for manual labor. He has no income other than his pension. He has no property except the house he lives in, which is valued at \$1,450.

The medical and lay testimony filed fully corroborates all the soldier's allegations.

On May 3, 1911, the board at Dayton, Ohio, reported soldier suffering with heart disease, obesity (weight 235 pounds), gunshot wound of left thigh, lame back, lumbago, enlarged prostate gland. The condition of soldier is such as to entitle him to a higher rate than he is now receiving.

The facts in this case justify a higher rating for this soldier, and a rating of \$36 per month is recommended.

H. R. 10026. Thomas B. Reed, aged 78 years, served as a private in Company G, Eightieth Regiment Ohio Volunteer Infantry, from December 21, 1861, to February 7, 1865 (3 years 1 month and 15 days), and is now a pensioner under the act of February 6, 1907, at \$20 per month.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of rheumatism and injury of left hand.

He was originally pensioned under act of July 14, 1862, for lumbago.

His present address is Coshocton, Ohio.

In addition to rheumatism and injury of left hand, it now appears the soldier is suffering with heart disease and Bright's disease. Medical evidence filed shows soldier is totally disabled for labor by reason of these disabilities.

Lay testimony shows that soldier has no property, is totally unfitted for any labor, and that he has no income other than the pension he receives.

On December 16, 1908, the examining board at Coshocton, Ohio, reports soldier suffering with lumbago, rheumatism of right hip and knee, senile hypertrophy of prostate gland.

A rating of \$30 per month is recommended.

H. R. 10266. James A. Thompson, 69 years of age, served as a corporal in Company C, Thirteenth Regiment Indiana Volunteers, from June 19, 1861, to July 1, 1864, and is a pensioner under the act of February 6, 1907, at \$12 per month.

He was formerly pensioned under the act of June 27, 1890, at \$6 per month on account of chronic diarrhea, disease of the rectum, and rheumatism. His general-law claim, filed in 1885 and based on mumps, fever, and diarrhea, was properly rejected in December, 1885, upon the ground that a pensionable degree of disability from the causes named had not existed since the filing of the claim.

He was last examined by the Niobrara (Nebr.) board of surgeons on April 4, 1900, and was then suffering from atrophy of the left testicle, chronic diarrhea alternating with constipation, dilatation of the heart with cyanosis and dyspnea, rheumatism affecting all the joints and muscles, with limitation of motion to the degree of one-half of normal, severe deafness of the left ear, and three pile tumors, bleeding and ulcerated.

He is a resident of Lisbon, N. Dak., and, according to the testimony of Dr. Paulson, of Flexton, N. Dak., is now in feeble health, suffering from ulcer of the cornea of one eye and disease of the heart, and unable to do labor of any kind.

The soldier has no property and no means of support aside from his pension.

Having rendered three years of faithful service and being now old, totally disabled, and utterly destitute, an increase of his pension to \$30 per month to aid in his support is recommended.

H. R. 10395. Leonard A. Wilson, aged 67 years, served as a private in Company G, Sixtieth Regiment New York Volunteer Infantry, from October 26, 1861, to July 17, 1865 (3 years 8 months and 21 days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$10 per month by reason of rheumatism, piles, varicose veins of right leg, atrophy of right testicle, and general debility and disease of heart.

Was formerly pensioned under the act of July 14, 1862, at \$2 per month for disease of right testicle, result of mumps.

Address, Potsdam, N. Y.

Board of surgeons, August 31, 1904, found disease of right testicle, rheumatism, piles, varicose veins of right leg, general debility, anemia, and weak heart.

Medical testimony is that applicant has articular rheumatism with heart complications; is unable to do manual labor.

Other testimony is that applicant has a possible net income of \$200 from a carding mill and his pension.

An increase to \$30 is allowed.

H. R. 10457. Godfrey Winkler, about 73 years of age, served as a private in Company L, Tenth Indiana Cavalry, from December 8,

1863, to July 10, 1864, when discharged on a surgeon's certificate of disability by reason of ankylosis of the left knee joint and fracture of the radius and ulna of the left arm.

He is now a pensioner under the act of February 6, 1907, at \$15 and was formerly pensioned under the general law at \$14 per month on account of a fracture of the left humerus near the surgical neck and resulting neuralgia of the shoulders and arms.

Increase of pension under that law was denied in July, 1899.

His claim on account of chronic diarrhea and results was properly rejected by the Pension Bureau in 1888 upon the ground of the claimant's declared inability to furnish the necessary proof to establish said claim.

He was last examined by the Seymore (Ind.) board of surgeons on June 15, 1898, and was then rated \$17 for the disabilities of accepted service origin, \$4 for chronic diarrhea and disease of stomach, \$6 for piles, and \$4 for two blind internal fistulae, and \$6 for a fracture of both bones of the left arm, this fracture having occurred when he was 5 years of age.

The soldier is a resident of Seymore, Ind., and is shown by the testimony of Dr. Shields, of that place, to be now suffering from a former fracture of the left humerus with limitation of motion of the arm and shoulder, the fracture of the bones of the forearm leaving a deformity and causing impaired motion and loss of power in pronation and supination; a partial ankylosis of the left knee resulting from some former injury, with probable synovitis, resulting in considerable limitation of motion, he being unable to extend the leg to a straight line or to flex the leg upon the thigh, and causing him to walk considerably lame, and that he is quite feeble and totally incapacitated for labor.

He owns a home worth about \$600, but has no means of support aside from his pension.

Taking into consideration his age, total disability, and destitution, an increase of his pension to \$24 per month to aid in his support is recommended.

H. R. 10468. Henry Willman, about 71 years of age, served as a private in Company I, Thirty-second Indiana Volunteers, from September 21, 1861, to November 26, 1862, when discharged on a surgeon's certificate of disability by reason of a gunshot wound of the neck, received in action at Shiloh, Tenn., in April, 1862.

He is now a pensioner under the general law at \$24, on account of this wound and rheumatism, and resulting disease of the heart. Increase of pension was denied by the Pension Bureau in September, 1906.

The Seymour (Ind.) board of surgeons, which last examined him on August 15, 1906, found that the wound interfered with the free movement of the head, and that there was marked atrophy of the supra scapular muscle of the left side; that he had rheumatism, with the following limitations of motion: Right shoulder, 30°; left, 80°; left elbow, 10°; left wrist, 15°; right hip, 20°; left, 30°; each knee, 10°; right ankle, 10°; and left ankle, 20°; was also afflicted with disease of the heart, with a systolic murmur at the apex, with edema of the feet and ankles, and slight cyanosis and dyspnea, and had varicose veins on the right leg extending to the middle of

the thigh. For the pensioned disabilities the board then recommended a rating of \$30 per month, and for the varicose veins \$6 per month.

Dr. Stemm, of North Vernon, Ind., the claimant's place of residence, states that the claimant is still afflicted with the wound, rheumatism, and enlargement and beginning dilatation of the heart, is totally disabled for labor, and will soon require the occasional aid and attendance of another person.

He owns no real estate, and has about \$1,000 invested, which brings him an income of \$80 per year, aside from which he has no means of support save his pension.

Taking into consideration the claimant's advanced age, your committee is fully satisfied that he is totally incapacitated for labor, and inasmuch as he is also in straitened financial circumstances, an increase of his pension to \$36 per month is recommended.

H. R. 10561. Richard Burns, aged 73 years, served as a private in Company C, Ninth Regiment United States Colored Volunteer Heavy Artillery, from September 3, 1864, to September 3, 1865 (1 year), and is now a pensioner under the act of July 14, 1862, at \$24 per month for rheumatism and resulting disease of heart.

He was formerly pensioned under the act of June 27, 1890, at \$8 per month by reason of rheumatism, disease of heart, and paralysis (disease) of right hand and arm.

Address, Oxford, Ohio.

Board of surgeons, April 18, 1906, found rheumatism, lumbago, and disease of heart.

Medical testimony is that by reason of rheumatism and mitral stenosis the applicant has, for three years, been unable to walk without support.

The applicant states that he has property worth about \$1,000, which is under mortgage for \$440. His only income is his pension.

An increase to \$30 per month is recommended.

H. R. 10573. George L. Mull, aged 70 years, served as a private in Company C, One hundred and tenth Regiment Ohio Volunteer Infantry, from August 18, 1862, to March 18, 1865 (2 years and 7 months); discharged on surgeon's certificate of disability; was a prisoner of war; and is now a pensioner under the act of June 27, 1890, at \$12 per month for chronic diarrhea, rheumatism, disease of heart and rectum, injury of left shoulder, and nasopharyngeal catarrh.

He was formerly pensioned under the act of July 14, 1862, at \$4 per month by reason of chronic diarrhea.

Address, 122 Home Avenue, Dayton, Ohio.

Board of surgeons, July 21, 1897, found chronic diarrhea, rheumatism, disease of heart, and varicose veins.

Medical testimony is that applicant has the degeneration due to old age; has hardening of the arteries; has angina, with dyspnea; vertigo and chronic cough; both legs are enormously dilated with varicose veins; is unable to do manual labor.

Two fellow townsmen depose that soldier has no financial resources of any kind—nothing for his support except his pension.

An increase to \$30 is recommended.

H. R. 10631. Napoleon B. Agy, aged 75 years, served as a drummer in Company K, Seventy-fourth Regiment Ohio Volunteer Infantry, from February 8, 1862, to July 10, 1865 (3 years and 5 months), and is now a pensioner under the act of July 14, 1862, at \$24 per month on account of disease of heart.

Address, Cambridge, Ohio.

The medical examination July 27, 1910, was for heart disease only, and rated him \$30, and pronounced him unable to do manual labor.

Dr. C. D. Romans (May 9, 1911) finds indigestion, disease of heart, cystitis, chronic rheumatism, and is unfit for any labor.

Neighbors say that he possesses no property whatever, lives in a rented house, and his only support is his pension.

An increase to \$40 is recommended.

H. R. 10633. John Dunn, aged 67 years, served as a private in Company G, One hundred and fifty-ninth Regiment Ohio National Guard Infantry, from May 2, 1864, to August 24, 1864 (4 months), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

Formerly pensioned under the general law at \$6 for disease of stomach, liver, and back.

Address, Gilbert, Ohio.

Medical examination, June 26, 1901, describes the pensioned causes, also nasopharyngeal catarrh and rheumatism.

Two physicians declare pensioner is suffering from right hemiplegia, and is almost entirely helpless and he requires some one to care for him, as he can not stand alone, can not get in or out of bed.

His neighbors say he owns 4 acres of land, which he values at \$200, and he has no income but his pension.

An increase to \$24 is recommended.

H. R. 10748. William H. McAllister, aged 67 years, served as a private in Company A, One hundred and sixth Regiment New York Volunteer Infantry, from August 8, 1862 to May 25, 1865 (2 years 9 months and 17 days); discharged on surgeon's certificate of disability, and as now a pensioner under the act of July 14, 1862, at \$17 per month on account of gunshot wound of lower jaw and resulting total deafness of right ear, injury of right ankle, and chronic diarrhea.

Address, Harrisville, N. Y.

Board of surgeons, July 10, 1907, found deafness, injury to ankle, wound of lower jaw, and chronic diarrhea, and rated at \$24 per month.

Medical testimony is that applicant has a dislocated shoulder, which prevents the use of the arm, has a double hernia, and is unable to do manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$36 a month is recommended.

H. R. 10791. John Heltzel, about 68 years of age, served as a private in Company H, Nineteenth Regiment Ohio Volunteers, from November 8, 1861, to January 24, 1865, and was a prisoner of war from January 2, 1863, to February 3, 1863, when paroled.

He is now a pensioner under the general law at \$17 on account of rheumatism and nasopharyngeal catarrh. Increase of pension was denied by the Pension Bureau in June, 1909, at which time it also declined to accept the existing disease of the heart as a result of rheumatism.

He is a resident of Lisbon, Ohio, and was last examined by the Youngstown (Ohio) board of surgeons on June 9, 1909, and was then found to be afflicted with hypertrophy of the heart and cyanosis, nasopharyngeal catarrh, and general muscular and articular rheumatism, involving all the larger joints and tendons, the left shoulder, back, and left hip being most involved, the motions being one-fourth restricted in these joints and one-eighth in the other large joints, fingers stiffened and finger joints enlarged, and general debility.

It is shown by the testimony of Dr. Calhoun, of Lisbon, Ohio, that the claimant is a sufferer from chronic laryngeal catarrh and a greater part of the time is unable to talk, owing to hoarseness; has great difficulty in breathing; is unable to be on his feet, as the least exertion causes violent coughing; and is also afflicted with chronic rheumatism in his arms, limbs, and back; is not able to do any manual labor and requires almost constant care from members of his family.

His neighbors state that he is emaciated and bloodless as a result of his physical suffering, is totally disabled for labor of any description, owns no property except 12 acres of land with a cheap frame dwelling worth about \$480, and has no means of support aside from his pension and what he may derive from the cultivation of his land, for which he is compelled to employ help.

Considering his advanced age and the fact that he is also afflicted with disease of the heart your committee is satisfied that he is totally incapacitated for labor, and inasmuch as he rendered long and faithful service and is poor, an increase of his pension to \$30 per month is recommended.

H. R. 10872. Harrison Bradley, aged about 70 years, served as a private in Company C, Fifteenth Regiment United States Colored Volunteer Infantry, from April 21, 1865, to April 7, 1866 (11 months and 16 days), and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of loss of sight of left eye and impaired sight of right eye.

Address, Eighth Street and Georgia Avenue, Nashville, Tenn.

Board of surgeons, February 17, 1904, found age, defective vision, senile stiffness.

Medical testimony is that applicant has lost sight of one eye, and the sight of the other is very deficient; that he has hardening of the arteries.

Other testimony is that applicant is old, decrepit, feeble of sight, short of breath, and worthless as a laborer, but tries to do odd jobs—sometimes can get 50 cents a day.

An increase to \$24 is recommended.

H. R. 10973. William Leeper, aged 69 years, served as a private in Company E, Twelfth Regiment West Virginia Infantry, from August 15, 1862, to June 16, 1865 (2 years and 10 months), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

Formerly pensioned under act of June 27, 1890, at \$10 for rheumatism and disease of heart and stomach.

Address, Monongah, W. Va.

Medical examination, October 15, 1902, reveals heart disease, rheumatism, and lumbago.

Dr. J. M. Bowcock, June 3, 1911, decides that by reason of rheumatism pensioner is unable to perform any manual labor.

The clerk of the county court certifies that soldier is not assessed with any real or personal property.

Neighbors testify that he owns no property of any nature and has no income but his pension.

An increase to \$30 is recommended.

H. R. 11013. Reuben Melton, aged 69 years, served as a private in Company L, Sixth Regiment Provisional Enrolled Missouri Militia, from October 29, 1863, to March 15, 1864, and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of disease of right hip joint and left wrist and bronchitis.

He has not sought pension under the general law.

When last examined, on April 22, 1896, by the Joplin (Mo.) board of surgeons he was found to be afflicted with severe deafness of one ear; two external and one internal pile tumors, one-half to three-fourths inch in diameter and ulcerated; tuberculous hip-joint disease, causing 6 inches shortening and great emaciation of member and compelling him to use crutch or cane in walking; tubercular disease of the bone of the left wrist, with one-half inch shortening; chronic bronchitis, evidenced by moist and sibilant râles in the upper part of right lung, and a pterygium in left eye, encroaching one-half over inner side of cornea.

He resides at Highlandville, Mo., and is shown by the testimony of Dr. Burton, of Ozark, Mo., to be now also suffering from a double inguinal hernia, functional heart trouble, and swelling of the feet and legs.

Lay testimony filed shows that he can not lie down to sleep, has to be propped up in bed, and needs aid and attendance one-half of the time, and that he is destitute.

His deplorable physical condition and utter destitution warrant an increase of his pension to \$24 per month.

H. R. 11015. John W. Bond, aged 67 years, served as a private in Company A, Fifty-sixth Regiment Illinois Volunteers, from March 15, 1862, to April 30, 1865, and is now a pensioner under the act of February 6, 1907, at \$12 per month.

He was formerly pensioned under the act of June 27, 1890, at \$8 per month by reason of rheumatism and disease of heart and kidneys.

He abandoned the prosecution of his general-law claim, filed in 1875 and based on disease of lungs.

The Malden (Mo.) board of surgeons, which last examined him, on October 18, 1905, found that he suffered from some swelling of the joints of the fingers on both hands and some loss of motion in the hands and shoulders, some of the joints of the fingers enlarged, enlargement of the liver and spleen, and a very weak heart.

He is a resident of Anniston, Mo., and according to the testimony of Dr. Horole, of Charleston, Mo., is not now able to earn his living

by manual labor by reason of the rheumatism, piles, a general nervous breakdown, and a kidney lesion, possibly Bright's disease.

He is also shown to be poor financially.

His long service, total disability, and utter destitution warrant an increase of his pension to \$24 per month.

H. R. 11117. Abraham Shipman, 68 years of age, served as a private in Company C, Twenty-fourth Missouri Volunteers, from November 1, 1861, to October 7, 1864, and is a pensioner under the act of February 6, 1907, at \$12 per month.

He was formerly pensioned under the act of June 27, 1890, at \$10 per month on account of rheumatism, disease of the heart and lungs, nasopharyngeal catarrh, and senile debility. He established a claim under the general law on account of an injury to the right shoulder, and was originally pensioned for the same at \$2 per month.

He was last examined by the Ozark (Mo.) board of surgeons on February 7, 1906, and was then found to be suffering with dilatation and hypertrophy of the heart with a mitral regurgitant murmur, tenderness over the shoulders, back, hips, and knees, with inability to raise arms above a right angle, and stooping and rising with difficulty, with one-fourth limitation of motion, bronchitis, and nasal catarrh.

Dr. Joseph D. James, of Sparta, Mo., in his testimony filed with the committee, states that the soldier suffers from chronic rheumatism of the right shoulder and right hip, enlarged gall bladder, feebleness, and emaciation, and is wholly incapacitated for the performance of manual labor.

It is further shown that he has no means of support aside from his pension and no property.

His last known post-office address was Chadwick, Mo.

Some measure of relief to aid in the claimant's support is believed to be justified by reason of his total disability, destitution, and his long and faithful service, and an increase of his pension to \$30 per month is therefore recommended.

H. R. 11293. Theodore Garner, aged 68 years, served as a private in Company K, Sixty-third Regiment Ohio Volunteer Infantry, from November 25, 1861, to July 8, 1865 (3 years 7 months and 13 days), and is now a pensioner under the act of July 14, 1862, at \$14 per month, disease of respiratory organs.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of disease of respiratory organs, rheumatism, and disease of heart.

Address, Washington Courthouse, Ohio.

Board of surgeons, March 23, 1910, found disease of heart.

Medical testimony is that applicant has disease of respiratory organs and heart, and arteriosclerosis, and is totally unfitted for manual labor.

Other testimony is that applicant has no personal property, but has a house and lot assessed at \$990, which, under the present Ohio law, is the real value of the property, and that he has no income but his pension.

An increase to \$36 is recommended.

H. R. 11392. Emma J. Turner, 64 years of age, is the widow of William H. H. Turner, who served as sergeant, second lieutenant, and first lieutenant in Company G, First Indiana Heavy Artillery, from July 6, 1861, to January 10, 1866 (four years and seven months), and who died March 9, 1904.

The claimant, who married the officer on June 18, 1866, was a pensioner under the act of June 27, 1890, at \$8 per month, and had her pension increased to \$12 per month by virtue of a special act approved February 6, 1907, upon proof that she was utterly destitute and had no property except an equity of about \$600 in a house and lot.

It is shown by the testimony of Dr. Von Knappe that the claimant is now an invalid and no longer able to follow her occupation as a seamstress, and is destitute.

An increase to \$20 is considered proper.

H. R. 11393. Martin V. B. Smith, 69 years of age, served as a private in Company H, Sixth Indiana Cavalry, from July 18, 1862, to June 17, 1865, and is a pensioner under the general law at \$17 on account of disease of the liver and back (disease of the kidneys).

Increase of pension was denied by the Pension Bureau in April, 1911.

His claim for rheumatism and injury to left leg was properly rejected by the Pension Bureau in April, 1894, upon the ground of the claimant's inability to furnish satisfactory proof of the origin of said disabilities in the service.

He is a resident of Worthington, Ind., and was last examined by the Spencer (Ind.) board of surgeons on March 22, 1911, and was then found to be very much emaciated and suffering from disease of the liver, tenderness over the lumbar muscles and the lumbar vertebræ, lateral curvature of the dorsal vertebræ, claimant standing with the body bending forward from the hips and inclined to the left, drooping of the left shoulder, atrophy of the gluteal muscles of the left hip, muscular tremor, and urinary trouble. The surgeons concluded their certificate with the following statement:

This applicant is feeble. His hands are soft. He can not perform any manual labor.

Medical and lay testimony filed with your committee shows that the claimant is now also suffering from palpitation of the heart and indigestion and has articular rheumatism, with enlargement of the finger joints, with contraction of the tendons of the fingers of the left hand, and is totally incapacitated for labor.

It is further shown that he is wholly dependent upon his pension for a support.

The case is a proper one for congressional relief and an increase of the soldier's pension to \$30 per month is justified by the facts set forth.

H. R. 11408. William Brown, aged 74 years, served as a sergeant in Company A, Seventeenth Regiment Illinois Volunteer Cavalry, from October 16, 1863, to September 12, 1865 (1 year 10 months and 26 days), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of senile debility and loss of left leg.

Address, Everett, Wash.

Board of surgeons. October 21, 1903, found loss of left leg and stomach trouble.

Medical testimony is that applicant has chronic gastritis, weak heart, and resulting nervous condition; he suffers from loss of leg; is unable to do manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$30 a month is warranted.

H. R. 11452. Nancy E. Smith, 55 years of age, is the widow of John T. Smith who served as a private in Company B, Sixty-ninth Ohio Volunteers, from January 26, 1864, to June 29, 1865, and who died December 4, 1899, while a pensioner under the act of June 27, 1890.

The claimant, who married the soldier on December 19, 1893, was recognized by the Pension Bureau as his legal widow by the payment to her of the pension which accrued to the soldier at the time of his death.

She has filed no claim to pension in the Pension Bureau and has no title under the provisions of the act of April 19, 1908, having married the soldier subsequent to June 27, 1890.

She is a resident of Forest, Ind., and is shown by the testimony of Dr. Oliphant of that place to be a sufferer from intestinal indigestion, diarrhea, and alternating constipation, chronic cystitis, and chronic rheumatism with mitral disease of the heart, to be anemic, pale and deformed of figure, having a tumor in the right hypochondriac region the size of an egg, and that she is totally unable to perform labor and is without means of support.

Her neighbors state that she has not remarried since the soldier's death, has no property or income, and is physically incapable of earning a livelihood.

In view of the fact that the claimant married the soldier within a few years after June 27, 1890, and was his wife for six years, and is now shown to be an invalid, unable to labor and utterly destitute, your committee believe that the requirements of the act of April 19, 1908, as to date of marriage may well be waived in her case. Relief to the extent of granting her a pension of \$12 per month is therefore recommended.

H. R. 11453. Samuel Pierce, aged 68 years, served as a private in Company H, First Regiment Illinois Heavy Artillery, from January 15, 1862, to June 14, 1865, and was a prisoner of war from March 31 to May 4, 1865, and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of rheumatism and disease of heart, eyes, and rectum.

He was unable to establish his claim on account of rheumatism and disease of stomach and bowels, and these claims were properly rejected by the Pension Bureau.

When last examined, 20 years ago, by the Frankfort (Ind.) board of surgeons, he was rated \$10 for disease of stomach and bowels and \$10 for rheumatism and disease of heart.

He is a resident of Frankfort, Ind., and according to the testimony of Dr. Brown, of that place, is now afflicted with mitral disease of the heart, with intense dyspnea; at times some dyspnea and swelling of the feet; enlargement of the liver and spleen; three internal

and two external piles, inflamed and bleeding, with rheumatism and limited motion in the shoulders, elbows, and knee joints, and atrophy of many muscles, and is wholly unable to perform any manual labor.

He owns no property except a home, worth about \$500, and has no means of support aside from his pension.

Taking into consideration his faithful service, covering a period of over three years, and the fact that he is old, totally disabled, and destitute, an increase of his pension to \$24 per month is believed to be proper.

H. R. 11505. Parley Day, aged 67 years, served as a private in Company I, Fifty-second Regiment Indiana Volunteers, from December 18, 1861, to August 21, 1864, and is now a pensioner under the general law at \$17 per month by reason of a gunshot wound of the right arm received in action at Pleasant Hill, La., in April, 1864.

Increase of pension was denied by the bureau in January, 1910.

The North Vernon (Ind.) board of surgeons, which last examined him on January 19, 1910, rated him \$17 for the wound.

His post-office address is Queensville, Ind.

It is shown by the testimony of Dr. Wright, of Scipio, Ind., that claimant is now also afflicted with piles and with rheumatism, which has so affected his muscular system, joint articulations, and valves of the heart that he is no longer able to perform manual labor. He is without property and depends on his pension for a living.

He is deserving of congressional relief on account of his total disability, long and honorable service, and his destitution, and an increase of his pension to \$30 per month is recommended.

H. R. 11507. Harmon Dixon, aged 68 years, served as a private in Company B, Seventh Regiment Indiana Cavalry, from September 5, 1863, to February 18, 1866 (two years five months), and is now a pensioner under the general law at \$30 per month on account of rheumatism and resulting disease of heart.

He was denied increase of pension in 1887.

He was last examined by the North Vernon (Ind.) board of surgeons on June 23, 1886, and was found to be afflicted with limitation of motion of all joints of the body, the left knee and ankle joints approaching ankylosis; involvement of the cord and brain, evidenced by an extremely sensitive condition; and the general expression of approaching imbecility and valvular disease of heart.

The board then further stated that claimant walked in a bent posture, at an angle of 22°, and in a limp and halting manner.

He is a resident of Paris, Ind., and according to the testimony of Dr. Mitchel, of North Vernon, Ind., is still suffering from rheumatism of the back and spine to such an extent that he walks and stands in a stooped position, being unable to straighten; that he is now also afflicted with protruding piles; defective vision and hearing, which compelled him to resign his position as postmaster in the spring of 1908; and is totally incapacitated for labor.

The county auditor certifies that his records show assessed value of lands, improvements, and personal property is \$830.

The Member introducing the bill certifies that his financial condition consists of household goods worth less than \$100, and an undi-

vided interest in the house in which he resides, worth not to exceed \$400.

An increase to \$40 is recommended.

H. R. 11511. George W. Johnson, aged about 68 years, served as a private in Company K, Twenty-sixth Regiment Indiana Volunteers, from August 6, 1861, to January 5, 1866, and is now a pensioner under the act of February 6, 1907, at \$12 per month.

He was formerly pensioned under the act of June 27, 1890, at \$8 per month by reason of catarrh, disease of rectum, and senile debility.

He abandoned the prosecution of his general law claim based on catarrh and partial deafness.

He sought the \$15 rating under the act of February 6, 1907, in February, 1911, alleging that he was born on November 16, 1838, but was unable to file competent testimony that he had arrived at the age of 70 years at the time of the execution of his declaration, on December 9, 1910.

He resides at Aurora, Ind., and was last examined by the Bolivar (Mo.) board of surgeons on February 18, 1903, and was found to be afflicted with nasal catarrh and impaired hearing of left ear, chronic diarrhea, and disease of rectum, rheumatism with one-quarter loss of motion in right shoulder, and general debility.

Dr. Henry, of claimant's town, states that he is now afflicted with hemorrhoids, chronic bronchitis, catarrh, and general debility, is very feeble, barely able to be about, and has psoriasis on his legs and arms, and is absolutely unfit for the performance of any kind of manual labor.

He owns no property except household goods.

The facts set forth merit an increase of his pension to \$24 per month.

H. R. 11512. Hester A. Snodgrass, aged 84 years, is the widow of Thomas J. Snodgrass, who served as a private in Company A, Eighty-third Indiana Volunteers, from August 14, 1862, to June 1, 1865, and who died January 3, 1881, of disease of the brain, the result of his military service.

The claimant, who married the soldier on May 6, 1848, has been pensioned under the general law ever since the soldier's death and is now receiving the rating of \$12 provided by that law.

Claimant is a resident of North Vernon, Ind., and is shown by the statement of Dr. Stemm, of that place, to be now helpless as a result of asthma and the infirmities of age and to require the constant aid of another person.

The Member who introduced the bill states that he has known the claimant for 20 years; that she lives in his home city; has no property except household goods worth probably \$200; and depends upon the aid of an unmarried daughter who lives with her and assists her, and is 84 years old.

Claimant's extreme age, helplessness, and destitution warrant an increase of her pension to \$20 per month.

H. R. 11524. Benjamin F. Lemon, served as a private in Company E, Fiftieth Regiment Missouri Infantry, from April 7, 1865, to August 11, 1866 (one year and four months), and is now a pensioner

under the act of June 27, 1890, at \$12 per month on account of impaired vision and rheumatism.

Address, Hopewell, Mo.

Medical examination, January 4, 1905, shows rheumatism, varicose veins of right leg, loss of sight of right eye, and general debility.

Dr. J. P. Yeargain has treated soldier for defective vision, which totally incapacitates him for manual labor; that he needs an attendant in order to get around, and there is no hope for any improvement.

Pensioner swears that he has no real estate or other property, and his income is his pension. Two neighbors testify that he has no income but his pension.

An increase to \$30 is recommended.

H. R. 11540. John Bonecutter, about 67 years of age, served as a private in Company E. Eighty-ninth Indiana Volunteers, from August 10, 1862, to July 19, 1865, and is a pensioner under the general law at \$12 on account of a gunshot wound of the left forearm received while on guard duty at Fort Pickering in April, 1863.

Increase of pension was denied by the Pension Bureau in December, 1908.

He was last examined on October 28, 1908, by the Kokomo (Ind.) board of surgeons, which stated that wrist motion was limited in flexion about one-half and extension about 15°, as a result of the wound, and that the power of grasp of the whole hand was considerably, perhaps one-half, diminished, and that his ability to perform labor was much diminished because he had a right-sided paralysis, and that as a result the right hand and arm had very little power.

It is shown by the testimony of Drs. Ferguson and Ploughe, of Kempton, Ind., the claimant's place of residence, that he is now totally disabled for manual labor by reason of an irregular heart action, difficult breathing and speech, and a badly disabled left forearm from the wound, and the results of a stroke of paralysis received two years ago, and that he walks only with much difficulty.

He owns no property and has no means of support aside from his pension.

His long and faithful service, total disability, and destitution warrant an increase of his pension to \$24 per month.

H. R. 11610. Frances A. Francis, aged 61 years, is the widow of Charles S. Francis, who served as a private in Company I, Seventh Regiment Illinois Infantry, from May 3, 1864, to May 23, 1865 (one year).

Soldier was pensioned under act of February 6, 1907, at \$12. He died January 31, 1911; he and applicant were married May 27, 1892. Evidence filed shows death or divorce of former spouses.

Dr. T. J. Robeson says applicant is suffering from chronic bronchitis, prolapsus of bladder, her eyes are weak and in so serious condition that she can not sew or read, and she has chronic nephritis.

Other evidence shows she is too old and delicate—too alllicted—to earn a support; that soldier left her no property or income: that she has no property, income, or support of any kind, and is dependent upon others for a living.

Applicant cared for and nursed soldier the last 20 years of his life; is now old and worn out, helpless and destitute; and, with numerous precedents, it is proper to allow her a pension of \$12 a month.

H. R. 11653. Jane A. Kirby, aged 66 years, is the widow of Stephen M. Kirby, who served as a private in Company G, One hundred and thirty-ninth Regiment New York Infantry, from May 7 to August 18, 1861, and from August 25, 1862, to June 19, 1865 (3 years and 1 month).

Soldier was pensioned under the general law at \$30, for gunshot wound of right arm, rheumatism, chronic diarrhea, and malarial poisoning.

Soldier died April 16, 1902; he and applicant were married October 9, 1870. She applied for pension under the general law, which was denied October 3, 1903, on the ground that, though aided by special examination, it was not shown that her former husband was dead or divorced from her when she married soldier.

Address, Jamaica, Brooklyn, N. Y.

It appears that in 1866 applicant and Robert Illiff married, and that after living together a few months he deserted her. In October 9, 1870, she married soldier, and lived with him until his death, April 16, 1902, a period of 32 years, during which her first husband was not heard of.

Dr. Herbert Noble knows applicant to be in such a physical condition as to be unable to earn her living; he has attended her professionally for several years; she is at present an inmate of Jamaica Hospital.

Two neighbors say she worked for the soldier all these years, for he was an invalid ever after the war. She is now a very sick woman and in the hospital. She has been sick and totally helpless for four or five years past, and has been living upon charity, as she is destitute.

As she lived with the soldier as a devoted wife for 32 years, is now sick, destitute, and an object of charity, and was deserted before her marriage to the soldier, an allowance of \$12 a month is an act of deserved charity.

H. R. 11707. Joseph H. Shipman, aged 73 years, served as a private in Company H, Sixth Regiment Provisional Enrolled Missouri Militia, from April 1, 1863, to October 31, 1863, and is now a pensioner under the act of February 6, 1907, at \$15 per month.

He was formerly pensioned under the act of June 27, 1890, at \$8 per month by reason of a tumor of the right side and disease of eyes. He was unable to establish his general-law claim based on a wound of the right side and hand.

The Ozark (Mo.) board of surgeons, which last examined him on November 4, 1903, found him afflicted with a tumor on right breast, the circumference of same being 19 inches and 8 inches in diameter and about 5 inches deep, and appearing to be fatty in nature, loss of the first and second fingers of the right hand at the second distal joints, and nasal catarrh.

Dr. James, of Sparta, Mo., states that claimant is now very feeble, is almost totally deaf in the right ear, has rheumatism in right knee and hip, chronic gastritis, and tumor on the breast now 20 inches in diameter, and that it is impossible for him to engage in any manual labor.

He depends on his pension for a support.

Prior to his service in the Provisional Enrolled Missouri Militia, he rendered 1 month and 15 days' service in Company E, Green County Missouri Home Guards.

His advanced age, total disability, and destitution warrant an increase of his pension to \$24 per month.

H. R. 11737. James H. Lansbery, aged 68 years, served as a private in Company E, Third Regiment Indiana Volunteer Cavalry, from August 22, 1861, to August 31, 1864 (3 years 9 days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$8 per month by reason of chronic diarrhea and piles.

Address, Alamosa, Colo.

Board of surgeons, February 23, 1903, found pensioned disabilities and disease of liver, rheumatism, loss of teeth, biliousness, and dyspepsia.

Medical testimony is that applicant, by reason of chronic diarrhea, is unable to do manual labor.

Other testimony is that applicant has no property. His pension is \$12 a month.

An increase to \$30 a month is recommended.

H. R. 12019. Thomas C. Snider, 73 years of age, served as a private in Company G, Fifth Indiana Cavalry, from August 16, 1862, to June 16, 1865, and was a prisoner of war from July 31, 1864, to March 3, 1865, when paroled.

He is now a pensioner under the act of February 6, 1907, at \$15 per month, and was formerly pensioned under the act of June 27, 1890, at \$10 per month on account of a gunshot wound of the right foot, disease of the heart, and senile debility.

He was originally pensioned under the general law at \$6 per month on account of the gunshot wound of the right foot, received accidentally in October, 1863, and this rating was increased to \$8 per month. Increase of pension was denied in April, 1905.

He is a resident of Grant City, Mo., and was last examined by the board of surgeons at that place on March 15, 1905, and as a result of the wound of the foot was then found to be lame—there being some atrophy in all the joints, the muscles, tendons, and nerves having been injured in the course of the ball and the foot weakened—and was also found to suffer from disease of the heart, arteriosclerosis, and nervous and senile debility.

Dr. Andrews, of the claimant's home, states that claimant is now suffering from granular pharyngitis, some bronchial râles, organic disease of the heart, some stiffness of the shoulder and hip joints, indicating a rheumatic diathesis, ankylosis of the little toe, and some atrophy of the right foot, and is totally incapacitated for performing manual labor on account of these diseases.

His neighbors state that he had been compelled to quit his occupation as a blacksmith several years ago, and that he is a poor man without any property.

His advanced age, long and honorable service, and his present total disability and destitution justify an increase of his pension to \$24 per month.

H. R. 12073. Calvin Underwood, aged 63 years, served as a private in Company F, Seventh Regiment Illinois Cavalry, from December 11, 1863, to November 4, 1865, and is now a pensioner under the act of February 6, 1907, at \$12 per month.

He was formerly pensioned under the act of June 27, 1890, at \$10 per month by reason of chronic diarrhea and disease of heart. He was originally pensioned under the general law at \$2 per month on account of chronic diarrhea, and increased to \$4 per month.

The Eureka Springs (Ark.) board of surgeons, which last examined the claimant on July 17, 1901, found him afflicted with diarrhea; rheumatism, causing one-fourth loss of motion in left wrist, elbow, and shoulder, and stiffness of fingers, and disease of heart with dyspnea.

He resides at Viola, Mo., and according to the testimony of Dr. S. D. Melton, of that place, is totally disabled for manual labor by reason of diarrhea and organic disease of the heart, and able only to do small chores around the house.

He has no means of support aside from his pension.

The facts set forth justify an increase of the soldier's pension to \$30 per month to aid in his support.

H. R. 12095. Robert Marshall, aged 72 years, served as a corporal in Company G, Ninth Regiment Illinois Infantry, from July 27, 1861, to August 20, 1864, and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was pensioned under the general law at \$12 for gunshot wound of left ear and left knee.

Medical examination, December 23, 1908, shows wounds for which pensioned, deafness, impaired vision, and was rated by board of surgeons at \$30.

Address, Murphysboro, Ill.

Pensioner states that he is now totally blind and requires the constant care of another person.

Dr. H. H. Roth, March 11, 1912, testifies that pensioner suffers from chronic catarrhal condition of the lungs; senile cataracts, both eyes; and senile debility.

Dr. H. G. Horstman declares that pensioner is blind, very deaf—both ears—is suffering from effects of two wounds received in the Army, and has chronic bronchitis.

Two neighbors testify that he has no property of any kind except his pension, and that he requires the constant care of another person.

An increase to \$36 is warranted.

H. R. 12352. Thomas R. Anderson, 71 years of age, served as a private in Company G, Fifty-third Indiana Volunteers, from February 13, 1862, to October 19, 1862, and in Company I, One hundred and forty-third Indiana Volunteers, from February 9, 1865, to October 17, 1865, and is a pensioner under the general law at \$14 on account of disease of the left testicle and nearly total deafness of the left ear incurred during his service in the Fifty-third Indiana Volunteers.

This rating was allowed to date from November 17, 1910, the date of the certificate of his last medical examination, which found him afflicted with nearly total deafness of the left ear, severe deafness of

the right ear, nasopharyngeal catarrh, and a large hydrocele, the tumor being 8 inches long by 6 inches in diameter.

He is a resident of Sikeston, and is shown by the testimony of Dr. Ferguson, of that place, to be now incapacitated for the performance of manual labor by reason of deafness, rheumatism, gastric catarrh, and an advanced stage of senility.

It is further shown that he is a poor man, having no means of support aside from his pension.

~~Some~~ measure of relief, to aid in his support, is believed to be justified in view of ~~the facts~~ set forth, and an increase of his pension to \$24 per month is recommended.

H. R. 12388. Charles W. Price, aged 68 years, served as a private in Company D, Seventh Regiment Maine Infantry, from August 21, 1861, to December 21, 1861 (4 months), and ordinary seaman, U. S. S. *Colorado*, United States Navy, from September 19, 1864, to August 22, 1865 (11 months; total service, 1 year and 3 months), and is now a pensioner under special act at \$40. Was formerly pensioned at \$24 per month on account of complete left inguinal hernia, malarial poisoning, chronic diarrhea, and resulting disease of rectum.

Board of surgeons, March 3, 1909, describes serious disability as result of pensioned causes, and he has also slight heart trouble and has rheumatism.

Dr. W. D. Giddings, November 27, 1911, has treated soldier for severe chills and fever, and at this date has just arisen from a month's confinement to his bed. He is a total wreck from malarial infection: has a bad heart; his hands are distorted by rheumatism; can not dress or undress himself; his weight is but 107 pounds.

Under date of April 1, 1912, pensioner's wife testifies that his health and condition is rapidly growing worse; that he has not been able to sit up all day for several months and needs constant care and assistance.

The Member introducing the bill knows pensioner has no means of support other than his pension.

An increase to \$50 is recommended.

H. R. 12438. Samuel H. Hulse, aged 67 years, served as a private in Company E, Tenth Regiment New York Volunteers, from March 23, 1864, to June 9, 1865, and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of disease of heart, stomach, liver, spleen, and rectum.

He has never sought pension under the general law. He was last examined 20 years ago and found to be suffering from chronic pericarditis, enlargement of liver and spleen, lumbago, and two inflamed and ulcerated internal piles.

He resides at Barryville, N. Y., and is shown by the testimony of Dr. F. I. Smith, of Shohola, Pa., to be now suffering from disease of heart, stomach, liver, spleen, and rectum, and from rheumatism to such an extent as to require aid in dressing, his right hand being crippled and practically of no use to him and the left thumb removed. He has no property and no means of support aside from his pension.

On account of his helplessness and destitution an increase of his pension to \$30 per month is recommended.

H. R. 12452. William M. King, aged 67 years, served as a private in Company D, One hundred and sixty-seventh Regiment Ohio National Guard Infantry, from May 2, 1864, to September 8, 1864 (four months and six days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$8 per month by reason of left inguinal hernia, loss of vision of right eye, and eczema.

Address, 17 Grant Place, Washington, D. C.

Board of surgeons, January 5, 1907, found impaired vision, slight hernia, slightly impaired hearing, eczema, and loss of teeth.

Medical testimony is that applicant suffers from practically a complete loss of eyesight, and his hearing is very much impaired. The applicant has to be led around when he ventures on the street.

The applicant has no property, real, personal, or mixed; he has a pension of \$12 a month.

In view of the distressing blindness of this soldier, an increase to \$30 a month is strongly recommended.

H. R. 12509. Henry D. Jordan, aged 80 years, served as a first sergeant in Company A, Seventeenth Regiment Vermont Volunteers, from November 4, 1863, to April 12, 1865, and was formerly a pensioner under the general law at \$12 per month on account of chronic diarrhea, disease of rectum, and an injury to the great toe of right foot. His pension was increased to \$24 per month by virtue of a special act of Congress approved June 29, 1906, upon proof that he was a retired minister, in very poor health, old, and unable to do any manual labor, and poor, his wife being compelled to take boarders to help in meeting their current expenses.

He is a resident of Albion, Mich., and is shown by the testimony of Dr. Abbott to be now suffering from degeneration of the spinal cord, to have a cataract in each eye, and to be unable to recognize his friends except by form; to walk in an uncertain, shuffling way, hanging onto furniture, or leaning on some one for support, his body bent forward 20°; to be altogether in a pitiable plight, and to require the constant care of an attendant. He owns the home in which he lives and a cottage at Bay View, Mich. He has no means of support save his pension and aid from the superannuated preachers' fund, which last year amounted to \$184.

Pensioner is utterly helpless and had a creditable service, and an increase to \$36 is justified.

H. R. 12567. Rebecca J. Shy, 72 years of age, is the widow of Andrew Shy, who served as a private in Company K, Sixty-third Regiment Indiana Volunteers, from August 19, 1862, to June 21, 1865, and who died April 14, 1907, from disease of the liver and stomach while a pensioner under the general law at \$72 per month on account of total blindness.

The claimant, who married the soldier on November 10, 1892, sought pension under the general law, but the same was denied on the ground that his death had no connection with the disability for which he had been pensioned and was not otherwise shown to have been a result of his military service.

Her claim under the act of April 19, 1908, was also rejected on the ground of her marriage to the soldier subsequent to June 27, 1890.

She is a resident of Westfield, Ind., and is a sufferer from rheumatism affecting her left lower limb so that she can hardly get around; has no property except household goods, and no means of support except the contributions of her children.

Inasmuch as the claimant married the soldier soon after June 27, 1890, and was his wife for 15 years, and is shown to be an invalid, old and utterly destitute, your committee believe that the requirements of the act of April 19, 1908, as to date of marriage may well be waived in her case and relief to the extent of granting her a pension of \$12 per month is therefore recommended.

H. R. 12573. William L. Switzer, aged 68 years, served as a private in Company E, One hundred and ninety-first Regiment Ohio Volunteer Infantry, from February 24, 1865, to August 27, 1865 (6 months 3 days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$8 per month by reason of rheumatism, enlarged prostate, injury to right ankle, and obesity.

Address, 3901 Sheridan Boulevard, Denver, Colo.

Board of surgeons May 25, 1906, found age, rheumatism, lame left ankle, disease of kidneys, and enlarged prostate gland.

Medical testimony is that applicant has chronic rheumatism, chronic prostatitis, and cystitis; it appears that he is unable to do manual labor.

Other evidence is that applicant formerly owned an acre of land, improved with a brick house, but was obliged to sell it on account of its being so heavily encumbered. It appears that he has no income aside from his pension.

An increase to \$20 is allowable; short service.

H. R. 12575. William H. Paine, aged 90 years, served as a second lieutenant in Company F, Christian and Green Counties Missouri Home Guards, from June 15, 1861, to August 15, 1861, and was formerly a pensioner under the general law at \$15 per month on account of gunshot wounds of both thighs, received in action in Christian County on July 1, 1861. Increase of pension under that law was denied in June, 1911. He is now a pensioner under the act of February 6, 1907, at \$20 per month.

Subsequent to his service in the Missouri Home Guards he served in Company F, Fourteenth and Eighth Missouri State Militia Cavalry, from March 7, 1862, to March 31, 1865, and was a prisoner of war for several months in the fall of 1864.

He was last examined at his home on May 9, 1911, having been unable to appear in person before a board of surgeons, and was then found to be suffering from the wounds, senile debility, and absence of knee and plantar reflexes, with all toes of the right foot, except the great toe, so sharply and permanently flexed that walking causes pain and stumbling. The examining surgeon then further stated that claimant walks in his house by the aid of a cane, but can not rise from his chair without something to pull upon.

He is a resident of Billings, Mo., and it is shown by the testimony of Dr. Brown of that place that aside from the disability arising

from the wounds he incurred neuralgia, indigestion, and finally locomotor ataxia and resulting imbecility; that he is about 90 years of age, but his existence for the last 22 years has been miserable indeed, and that for the last three years he had not been able to subsist without the aid of another person.

Lay testimony filed shows that the claimant can not take care of himself and that he has no income aside from his pension.

On account of his extreme age, helplessness, and utter destitution, and his long and faithful service, an increase of his pension to \$36 per month is eminently just and proper.

H. R. 12594. Susan H. Butler, aged 71 years, is the widow of Henry H. Butler, who served as a corporal in Company A, Seventh Regiment Tennessee Cavalry, from August 15, 1862, to August 7, 1865 (3 years).

Soldier was pensioned under act of June 27, 1890, at \$12.

He died February 8, 1909. He and applicant were married September 13, 1860, and she is pensioned at \$12 under act of April 19, 1908.

Dr. W. G. Compton deposes that pensioner is unable to feed herself, due to shaking palsy and other troubles, and requires the care and attention of a constant attendant, and her daughter, Joanne Butler, is confined to her bed, having been paralyzed in her lower extremities since 12 years old. The other testimony by neighbors shows that outside of the widow's pension and charity of outsiders there are no means of support for these two pitiable women.

An increase to this "war widow," who bore the soldier eight children and is now old, helpless, and destitute, is surely justified. Under the rules and practice, for the care of herself and soldier's daughter, an increase to \$24 is recommended.

H. R. 12632. James Teller, aged 65 years, served as a private in Company I, Fifty-sixth Regiment New York Volunteers, from January 4, 1864, to October 17, 1865, and is now a pensioner under the general law at \$12 per month on account of malarial poisoning and a hydrocele of right side. Increase of pension was denied by the Pension Bureau in June, 1911. He resides at Middletown, N. Y., and was last examined by the board of surgeons at that place on June 14, 1911, and rated \$17 for malarial poisoning, \$6 for the hydrocele, which was 6 inches wide and 9 inches long, and \$10 for hypertrophy and dilatation of the heart, with general cyanosis and dyspnea.

Aside from these disabilities, he was found to have 2½ inches dorsal curvature, arterial hardening, an enlarged prostate gland, and a pterygium on both eyes.

A prior examination, made in September, 1904, showed that vision of the left eye was reduced to 2/200, and that with the right eye he could only count fingers at 10 inches.

Dr. Leemon, of Middletown, N. Y., states that the claimant is now suffering from a hydrocele, chronic cystitis, blindness, nephritis, and malarial poisoning, and that his condition is such that he requires the daily aid and attendance of another person.

He owns no property and has no means of support aside from his pension.

He is worthy of the sympathetic consideration of Congress, and following precedents in like cases, an increase of his pension to \$30 per month is recommended.

H. R. 12676. Reuben H. Crosby, aged 70 years, served as a private in Company G, Seventeenth Regiment Maine Volunteer Infantry, and in Company C, Third Regiment Maine Volunteer Infantry, from July 29, 1862, to April 18, 1865 (2 years 8 months and 19 days), and is now a pensioner under the act of July 14, 1862, at \$17 per month on account of gunshot wound of left leg and resulting varicose veins, and disease of rectum and disease of feet.

Address, Gardiner, Me.

Board of surgeons, November 3, 1909, found pensioned causes, also disease of heart and deafness, and rated at \$24 a month.

Medical testimony is that applicant has valvular disease of the heart, cardiac asthma, and dropsy; is unable to do any work.

Other testimony is that applicant has no property and no income but his pension, and his wife takes in washing.

An increase to \$36 a month is recommended.

H. R. 13024. Reason Carrico, aged 75 years, served as a private in Company K, Eightieth Regiment Indiana Volunteer Infantry, from August 22, 1862, to May 18, 1865 (33 months), and is now a pensioner under the act of February 6, 1907, at \$15 per month.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of diarrhea and gunshot wound of head.

His address is Raymondville, Mo.

The medical evidence filed in case shows that soldier is totally disabled for any manual labor because of almost total blindness and general physical debility, due to age.

The lay testimony establishes the fact that soldier has no property and no income except pension.

The last medical examination, made at Salem, Mo., on January 2, 1907, shows tenderness over stomach; bowels distended; pile tumors; rectum prolapses; vesicles highly engorged; alternating diarrhea and constipation; indentation nearly 1 inch to right of median line from gunshot wound; scar adherent; no sequela of gunshot wound except a peculiar eccentricity or feeble mind; total blindness of right eye, due to cataract.

The length of soldier's service, his financial destitution, and serious character of existing disabilities justify an increase of pension to \$30 per month and the same is recommended.

H. R. 13059. Moses Hensley, aged 76 years, served as a private in Company I, Sixty-sixth Regiment Illinois Volunteers, from November 22, 1861, to December 2, 1864, and is now a pensioner under the act of February 6, 1907, at \$20 per month.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of age. He has never applied for pension under the general law.

He is a resident of Olney, Ill., and when last examined on April 6, 1904, by the Flora (Ill.) board of surgeons was found to be afflicted with enlargement and stiffness of the left knee, with inability to flex the leg upon the thigh more than half way, the result of rheumatism; disease of mouth, a weak heart action, with dyspnea upon exercise, and senility.

Dr. Fritsche, of claimant's home, states that for six months past claimant has been suffering with emphysema of the lungs, is a constant sufferer from rheumatism, can hardly walk, and during the winter and spring of 1911 has required constant aid and attendance.

The Member who introduced the bill states that claimant lives in his home town, has no property aside from a home, and no income except his pension.

An increase of his pension to \$30 per month is proper, by reason of his extreme age, destitution, long and faithful service, etc.

H. R. 13086. Claudius N. Martin, aged 69 years, served as a corporal and sergeant in Company F, One hundred and first Regiment Ohio Volunteer Infantry, from August 9, 1862, to June 12, 1865 (2 years 10 months and 3 days), and is now a pensioner under the act of July 14, 1862, at \$14 per month on account of gunshot wound of left thigh and resulting atrophy.

The applicant was a prisoner of war.

Address, Marion, Ind.

Board of surgeons, July 12, 1911, found pensioned cause and rated at \$24 per month.

Medical testimony is that applicant has rheumatism, indigestion, and colitis, and that his condition is such as to make it necessary at times for him to have the aid and attendance of another person.

Other testimony is that applicant has a home in Marion, Ind., and that his personal property will not exceed in value \$200. He now receives a pension of \$14 per month.

In view of the soldier's long and honorable service, his being wounded in service, his having been a prisoner of war, and his present grievous physical disabilities, an increase to \$36 per month is recommended.

H. R. 13197. Joseph Funk, aged 73 years, served as a private in Company F, One hundred and thirty-second Regiment Ohio National Guard Infantry, from May 2, 1864, to September 10, 1864; and in Company F, First Regiment Ohio Volunteer Cavalry, from March 3, 1865, to September 13, 1865 (total service, 10 months and 18 days), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of rheumatism, disease of stomach, bowels, and rectum, and senile debility.

Address, National Military Home, Ohio.

Board of surgeons, May 17, 1905, found rheumatism, lumbago, disease of stomach, bowels, and rectum, injury to left wrist and spine, and debility from age.

It appears from the medical testimony that the applicant is unable to do manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$24 per month is recommended.

H. R. 13306. James M. Childers, 87 years of age, served as a wagoner in Company C, Ninth Iowa Cavalry, from October 26, 1863, to February 28, 1866, and is a pensioner under the act of February 6, 1907, at \$20 per month.

He was formerly pensioned under the act of June 27, 1890, at \$12 on account of an injury to the left side, rheumatism, and disease of both legs. He sought pension under the general law in 1886 on account of a fracture of the ribs, but abandoned the prosecution of his claim.

He was last examined on April 11, 1894, and was then found to be afflicted with disease of the heart, rheumatism, a fracture of the seventh and eighth ribs, dry eczema of both legs between the knee and ankles, and general and senile debility.

He is a resident of Bloomfield, Iowa, and is shown by proof filed with your committee to be now so physically disabled by reason of age as to require the periodical care of his wife who is also old and feeble, and to have no financial resources aside from his pension. He is a veteran of two wars, having also served as a private in Company G, First Illinois Volunteers, during the War with Mexico, from June 25, 1846, to September 7, 1846. He obtained service pension as a Mexican War survivor from January 29, 1887, to December 4, 1890.

His extreme age, helplessness, and destitution warrant an increase of his pension to \$30 per month.

H. R. 13307. Henderson W. Poundstone, aged 64 years, served as a private in Company E, Fourteenth Regiment Pennsylvania Volunteer Cavalry, from April 7, 1864, to August 24, 1865 (1 year 4 months 17 days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$10 per month by reason of rheumatism, disease of heart, and left eye.

Address, Delta, Colo.

Board of surgeons, December 14, 1898, found disease of digestive organs, rheumatism, disease of heart, loss of teeth, and disease of left eye.

Medical testimony is that applicant, by reason of age, general physical condition, and a wound received in April, 1911, is unable to do manual labor.

Other testimony is that applicant has 2 acres of land, upon which there is a two-room house, value \$1,000, mortgaged for \$350. He also has one team of horses, value \$200, mortgaged for \$85. Also has household goods and furniture of the value of approximately \$50.

An increase to \$30 a month is recommended.

H. R. 13312. Theodore Brown, aged 69 years, served as a sergeant in the Twelfth Independent Battery, Ohio Volunteer Light Artillery, from June 8, 1861, to July 10, 1865 (4 years 1 month and 2 days), and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of disease of heart and lungs, pharyngeal catarrh, senile debility, and cancer of face.

Address, Norwalk, Ohio.

Board of surgeons, December 6, 1905, found rapid, irritable heart, disease of lungs, pharyngeal and laryngeal catarrh, senile debility, and cancer of right temple.

Medical testimony is that applicant has suffered a stroke of paralysis and is unable to do manual labor.

Other testimony is that applicant has a home worth about \$1,000, and has no income but his pension.

An increase to \$30 a month is recommended.

H. R. 13322. Edward J. Hummel, aged 30, helpless and dependent child of Frederick Hummel, who served as a private in Company H, Thirty-seventh Regiment Ohio Volunteer Infantry, from September 29, 1861, to August 7, 1865 (3 years and 10 months), and is not now a pensioner under any act.

Address, Wapakoneta, Ohio.

Soldier was pensioned under act of June 27, 1890, at \$10 a month. No one now pensioned on this service. Soldier died March 31, 1908; he and the mother of applicant were married May 13, 1866, and she died January 27, 1889. Applicant was born June 28, 1884.

Dr. E. R. Freeman, September 27, 1911, states that the applicant is an imbecile, is physically weak, intellect weak, and is a dwarf; has bronchial trouble; he is unable to earn a living or to do manual labor; walks stooped; that he needs watching and constant care.

Other testimony shows he is soldier's child; has been an imbecile ever since he was 5 or 6 years old; that his brother, the guardian, has some \$1,500 or \$1,600 belonging to this imbecile.

Under the circumstances a pension of \$12 a month is allowable.

H. R. 13323. Wesley Z. Lewis, aged 74 years, served as a private in Company M, Fifteenth Regiment New York Volunteer Engineers, from September 22, 1864, to June 13, 1865 (8 months), and is now a pensioner under the act of July 14, 1862, at \$17 per month on account of rheumatism and resulting disease of heart.

Soldier was originally pensioned at \$4 per month on account of rheumatism; then at \$6 under act of June 27, 1890, and finally (as at present) under the general law at \$17 per month on account of rheumatism and resulting disease of heart.

Increase is claimed because the soldier has no property or income aside from his pension, and is wholly incapacitated for manual labor. Medical and lay testimony filed in support of the claim fully sustain the allegations as to physical and financial condition of soldier.

The board of examining surgeons at Lima, Ohio, on June 14, 1911, in addition to the pensioned causes, found a left oblique inguinal hernia, which passes through the external abdominal ring and into the scrotum.

A rating of \$30 is warranted in this case.

H. R. 13324. William H. Youart, aged 73 years, served as a private in Company C, One hundred and fifty-second Regiment Ohio National Guard Volunteer Infantry, from May 2, 1864, to September 2, 1864 (four months), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of disease of kidneys, heart, and rectum; injury of both wrists; disease of digestive organs, and senile debility.

Address, 217 Laurel Street, Greenville, Ohio.

Board of surgeons, December 7, 1904, found catarrh of bladder, disease of heart and digestive system, rheumatism, piles, and disease of rectum and resulting nervous debility.

Medical testimony is that applicant has intestinal catarrh, with diarrhea; has myalgia; suffers from the effects of a severe fall; is unable to do manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$20 a month is recommended. Short service.

H. R. 13340. Harry Karslake, aged 71 years, served as a private in Company F, Third Regiment New Jersey Cavalry, from March 25, 1864, to August 1, 1865 (one year and four months), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

Formerly pensioned under act of June 27, 1890, at \$10 for rheumatism and senile debility.

Medical examination, December 6, 1904, reveals rheumatism. disease of heart, and senile debility.

Dr. Robert F. Macfarlane, April 18, 1912, says soldier is suffering from chronic arthritis deformans and arteriosclerosis; the joints are stiff and deformed on account of calcareous deposits around the joints. He often is in bed weeks at a time, and when he is up and uses his crutches to get around he is liable to fall; did so on one occasion and broke his left arm.

Neighbors say he is helpless and can not use his hands and feet owing to rheumatism; that his old wife can not longer do dress-making, and his only support for both is his pension of \$15 a month.

An increase to \$30 is recommended.

H. R. 13372. John H. Weaver, aged 66 years, served as a private in Company K, Thirty-fifth Regiment Indiana Volunteer Infantry, from January 18, 1865, to September 30, 1865 (8 months and 12 days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$8 per month by reason of lumbago, rheumatism, and disease of heart and respiratory organs; was formerly pensioned under the act of July 14, 1862, at \$4 per month for disease of chest.

Address, Auburn, Ind.

Board of surgeons, April 21, 1911, found rheumatism, disease of heart, and paralysis. Board rated him at \$30 per month. The board stated as follows:

Including paralysis, this claimant is totally and permanently disabled and helpless; that he requires the regular personal aid and attendance of another person.

Medical testimony is that applicant has an attendant all the time.

Other testimony is that applicant is a joint owner, with his wife, of a home, and that his income is his pension.

An increase to \$30 a month is recommended, in view of the helpless condition of applicant, as shown by and recommended by board of surgeons.

H. R. 13424. Horatio F. Bronson, aged 76 years, served as a private in Company I, Eighty-ninth Regiment New York Volunteers, from September 16, 1861, to October 20, 1864, and is now a pensioner under the act of February 6, 1907, at \$20 per month.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of age. He was originally pensioned under the general law at \$2 per month and increased to \$6 per month, disease of heart having been accepted as a result. He has shown himself to be entitled to a rating of \$12 per month for these disabilities from July 6, 1910.

The Norwich (N. Y.) board of surgeons, which last examined him on July 6, 1910, found him afflicted with rheumatism and hypertrophy of the heart and pronounced him a—

used-up old man, with tremor of the muscular system generally well marked.

He is a resident of Sidney, N. Y., and is shown by the testimony of Dr. Young, of that place, to be now suffering from paresis and paralysis of the left side, particularly in the left leg, the result of three paralytic strokes; to be impaired in intellect, suffering from involuntary urination, and to be in a generally weak condition, and to require constant aid and attendance.

He has no property and no means of support save his pension.

His extreme age, helplessness, destitution, etc., warrant an increase of his pension to \$30 per month.

H. R. 13440. Frank A. Higgins, aged 69 years, served as a private in Company K, First Regiment New York Mounted Rifles, from August 11, 1862, to August 12, 1865 (3 years).

Address, Corning, N. Y.

He is pensioned under the act of June 27, 1890, at \$12 per month by reason of disease of lungs and general debility. Medical examination, December 30, 1891, disclosed disease of lungs, malarial poisoning, and general debility.

Dr. Thomas A. McNamara, March 1, 1912, says that in 1906 pensioner suffered an injury of right hip, which has been followed by atrophy of the right lower limb, which interferes with walking; also suffers from heart irritability; he is physically incapacitated and must depend upon others for the necessaries he requires.

Three leading citizens are positive that pensioner has no other means of support than his pension and is unable to do any manual labor.

Pensioner adds that he is a member of the Order of Railway Conductors and as such in time of great need is a beneficiary of their relief fund; that his personal income is his pension.

An increase to \$30 per month is recommended.

H. R. 13490. Maud Johnson, aged 42 years, helpless and dependent child of Samuel Johnson, who served as a private in Company G, Twenty-first Regiment Pennsylvania Cavalry, from July 13 to December 5, 1863 (5 months).

Soldier never applied for pension; he died January 21, 1885. He and the mother of this applicant were married September 2, 1856; the mother died December 28, 1889. This helpless child was born June 18, 1870.

Dr. W. F. Doyle, March 16, 1912, testifies that applicant is a congenital idiot, with cerebral functions more or less evolved; there is inability to work, to concentrate attention, or to walk correctly; is slovenly in walk and is uncouth.

Her guardian is Ella Lawrence, Pottsville, Pa.

No one has ever drawn pension on soldier's service.

Neighbors say that this child is helpless, weak-minded, and unable to take care of herself. She has no property of any kind, and is entirely dependent on others for support. She requires the per-

sonal attendance of another person; she can not comb, wash, or dress herself. She is dependent upon the charity of others.

An allowance of \$12 a month is proper.

H. R. 13546. James R. Anthony, aged 67 years, served as a corporal in Company D, Eighty-first Regiment Indiana Volunteer Infantry, from August 12, 1862, to June 13, 1865 (2 years 10 months and 1 day), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$10 per month by reason of disease of stomach, bowels, and rectum; rheumatism; and senile debility.

Address, Indianapolis, Ind.

Board of surgeons, June 21, 1905, found disease of stomach, diarrhea, disease of rectum, weak heart, and debility.

Medical testimony is that applicant has a double inguinal hernia; has an enlarged prostate; suffers from attacks of vertigo; has low blood pressure; it appears that he is unable to do manual labor.

The Member introducing the bill states that the applicant's real and personal property does not exceed in value \$300.

An increase to \$30 a month is recommended.

H. R. 13552. Anna Glendening, aged 78 years, is the widow of George W. Glendening, who served as a private in Company E, Sixth Regiment Pennsylvania Heavy Artillery, from August 31, 1861, to June 13, 1865 (3 years and 9 months), and is now a pensioner under the act of July 14, 1862, at \$12 per month.

Address, Abilene, Kans.

Soldier was never pensioned. He died August 19, 1865. Applicant was pensioned from the date of his death at \$8, and \$2 each for two minor children until they, respectively, became 16. She was increased to \$12 from March 19, 1886.

She and soldier were married July 11, 1861. This widow declares she is 78 years old and unable to work for wages; that about 20 years ago her son, Charles G. Glendening, became mentally deranged and is incapable of caring for himself (he was born Sept. 29, 1864), and that she must depend upon her pension and the generosity of friends and of the public to support her and her invalid son. This statement is substantiated by two neighbors; she has no other means of support.

As a "war widow," very old, and well-nigh helpless and destitute, she is worthy of an increase to \$20.

H. R. 13639. Abram A. Gossett, aged 72 years, served as a private in Company G, Twenty-ninth Regiment Illinois Volunteer Infantry, from September 10, 1861, to July 8, 1862 (9 months and 28 days), and is now a pensioner under the act of July 14, 1862, at \$14 per month on account of chronic diarrhea and resulting piles—disease of rectum.

Address, Norris City, Ill.

Board of surgeons, May 23, 1906, found endocarditis, disease of rectum, and rheumatism.

Medical testimony is that applicant has rheumatism and disease of heart; is unable to do manual labor.

Other testimony is that applicant, as a tenant in common, has an undivided one-half interest in a house worth about \$850; he has no income aside from his pension.

An increase to \$24 a month is recommended.

H. R. 13764. Adelbert B. Crampton, aged 69 years, served as a sergeant and first lieutenant in Companies F and A, Forty-eighth Regiment Indiana Volunteer Infantry, from November 7, 1861, to July 15, 1865 (3 years 8 months and 8 days), and is now a pensioner under the act of July 14, 1862, at \$17 per month on account of chronic diarrhea and resulting disease of rectum and stomach, rheumatism and resulting disease of heart.

Address, Delphi, Ind.

Board of surgeons, August 10, 1910, found chronic diarrhea, disease of rectum, rheumatism, and disease of heart; the board rated at \$24 per month.

The Member introducing the bill states that the applicant is totally incapacitated for the performance of manual labor.

Other testimony is that applicant has property assessed at \$120; this is given in evidence by the county treasurer.

An increase to \$30 a month is recommended.

H. R. 13896. Aaron Teegarden, 73 years of age, served as a private in Company L, Second Kentucky Cavalry, from October 29, 1861, to April 7, 1865 (three years three months), and is a pensioner under the act of February 6, 1907, at \$15 per month.

He was formerly pensioned under the act of June 27, 1890, at \$12 on account of chronic diarrhea, disease of the rectum and heart.

He sought pension under the general law in July, 1889, on account of chronic diarrhea, disease of the rectum, and rheumatism, but abandoned the prosecution of his claim.

The soldier was last examined by the Bloomsburg (Ky.) board of surgeons on May 18, 1898, and was then rated \$2 for disease of the liver and spleen, \$4 for disease of the rectum, \$17 for loss of the right eye, and \$17 for tuberculosis.

He is a resident of Ewing, Ky.

Medical testimony is, in effect, that he is wholly disabled from earning a living. He is 73 years old.

Neighbors say he depends solely on his pension for support; that he has suffered the loss of one eye and is partially blind in the other and can do no labor.

An increase to \$30 is recommended.

H. R. 13992. Lemuel Engle, aged 69 years, served as a private in Company K, One hundred and forty-eighth Regiment Indiana Volunteers, from February 23 to September 5, 1865, and is now a pensioner under the act of February 6, 1907, at \$12 per month.

He was formerly pensioned under the general law at \$10 per month by reason of a complete left inguinal hernia. He was unable to establish his claim under that law based on rheumatism, diarrhea, and piles, and said claim was properly rejected in April, 1899.

At the time of his last medical examination, on June 9, 1895, by the North Vernon (Ind.) board of surgeons, he was suffering from an inflamed and ulcerated rectum; four pile tumors, inflamed and

sensitive; the left hernia; rheumatism, with one-fourth loss of motion in right shoulder and left ankle; and total blindness of left eye, due to cataract.

He appears to be a resident of Vernon, Ind., and, according to the testimony of Dr. Hayden, of that place, is now wholly unable to perform manual labor owing to bronchial asthma, neurasthenia, the hernia, and the infirmities of age.

His total wealth does not exceed the sum of \$350.

An increase of his pension to \$24 per month is believed to be warranted by the facts set forth.

H. R. 14174. Daniel R. Smith, aged 67 years, served as a private in Company M, Fifteenth Regiment New York Volunteer Heavy Artillery, from January 24, 1864, to August 22, 1865 (1 year and 7 months), and is now a pensioner under the general law at \$12 per month on account of chronic diarrhea and resulting disease of liver, and piles.

The medical certificate of September 8, 1909, shows pensioned disabilities entitling to above rate; also finds heart disease, as shown by dilation, cyanosis, and dyspnea, and board describes varicose veins of the calves of both legs.

Application for reissue, act February 6, 1907, at \$15 a month rejected November 7, 1911; not 70 years old.

Post-office address, Warwick, N. Y.

Dr. W. T. Seeley testifies that pensioner has been a patient of his for the last two years, and that he suffers from Bright's disease, dropsy of legs, arthritic rheumatism of elbows and knee joints, and that these three diseases combined cause to soldier to require aid in dressing.

The Member introducing the bill avers that pensioner is dependent on the charity of friends.

M. R. Green says soldier is dependent upon his pension and aid from his friends, has no property, nor can he perform manual labor.

His age, service, and comparative helplessness warrant an increase to \$30 a month.

H. R. 14176. Margret Babcock, aged 73 years, is the widow of Abraham Babcock, who served as a private in Company F, Seventieth Regiment New York Volunteer Infantry, from June 20, 1861, to July 1, 1864 (3 years and 11 days), and was pensioned under the act of June 27, 1890, at \$12 per month for rheumatism, disease of heart, rectum, right inguinal hernia (incomplete), and varicose veins of left leg.

Address, Monroe, N. Y.

Applicant and soldier were married November 17, 1858; soldier died March 26, 1905. Applicant is pensioned at \$12 per month.

Medical testimony is that applicant suffers from severe neuritis of right arm, causing severe contractions of muscles of arm and hand to a degree preventing the use of the hand for long periods of time; also that applicant suffers from fatty heart; that from these disabilities she requires the constant aid and attention of another person; further that these diseases are progressive, and she can not permanently improve.

Other testimony is that applicant has no real or personal property and no means of support but her pension.

The applicant is a "war widow," old, and destitute. An increase to \$20 is recommended.

H. R. 14177. James H. Utter, aged 69 years, served as a private in Battery B, First Regiment New Jersey Volunteer Light Artillery, from January 5, 1864, to December 16, 1864 (11 month 11 days), and is now a pensioner under the act of July 14, 1862, at \$17 per month on account of chronic diarrhea and resulting disease of liver, spleen, and piles.

Address, Warwick, N. Y.

Board of surgeons, June 22, 1911, found debility, weak and irregular heart, liver enlarged and tender, diarrhea and constipation, piles, chronic bronchitis, shortness of breath.

Medical testimony is that applicant has hypertrophy and dilatation of heart, chronic liver disease, a catarrhal and subacute inflammatory condition, and fibroid phthisis, and that he is unable to perform manual labor.

Other testimony is that applicant has a small house and lot at Greenwood Lake, worth about \$800, subject to a mortgage of \$350, which is occupied by applicant and his family, and from which he receives no income, and that upon his pension he depends to pay the interest on the mortgage and obtain a living. Applicant has no other income than his pension, and no personal property except a small amount of household furniture.

An increase to \$30 is recommended.

H. R. 14179. George O. Booth, aged 67 years, served as a private in Company C, Twenty-fifth Regiment New York Cavalry, from December 31, 1863, to June 27, 1865 (1 year 6 months), and is now a pensioner under the general law at \$17 per month on account of chronic diarrhea and resulting disease of rectum.

Pensioner's address, Grahamsville, N. Y.

Medical certificate of May 26, 1909, shows a bad condition of stomach and rectum due to chronic diarrhea. Pensioner is feeble, emaciated, and poorly nourished.

Dr. W. H. H. Hoar testifies that pensioner's physical condition is due to epileptic fits, chronic diarrhea, and senility. That he must have assistance to dress and undress, to attend to the calls of nature, and when he falls in a fit he remains fallen until help arrives. His left hand is withered and helpless, due to an accident.

Pensioner alleges above conditions and says he has no personal property, but has a house valued at \$1,000, mortgaged at \$900.

Albert J. Erath bears testimony that soldier is dependent upon his pension of \$17 a month to support himself, wife, and family. His home is valued at \$1,000 and mortgaged for \$900. Soldier requires assistance to dress and undress.

As in similar cases, following precedents, an increase to \$36 is recommended.

H. R. 14378. Timothy Donovan, aged 66 years, served as a private in Company H, Twenty-ninth Regiment Maine Volunteer Infantry, from December 18, 1863, to September 19, 1865 (1 year and 9 months), and is now a pensioner under special act at \$24 per month.

He was formerly pensioned under the act of February 6, 1907, at \$12 per month by reason of age; also previously pensioned under act of July 14, 1862, at \$8, for gunshot wound of head.

Medical examination, June 1, 1904, discloses gunshot wound of head, rheumatism, and senile debility.

Address, Lewiston, Me.

Pensioner, under oath, November 11, 1912, says he is totally blind in left eye, due to gunshot wound, and partially blind in right eye; that he has no property, real or personal, and is totally incapacitated from performing manual labor.

These statements are substantiated by the affidavits of two physicians and one layman.

An increase to \$40 is recommended.

H. R. 14374. James N. Dennis, aged 70 years, served as a private in Company H, Second Regiment, Illinois Light Artillery, from November 1, 1861, to August 14, 1865 (3 years and 9 months), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

Formerly pensioned at \$8, under act of June 27, 1890, for senile debility, the result found by medical examination of February 4, 1907.

Address, Macomb, Ill.

Dr. E. F. Shrader, September 18, 1911, declares pensioner is totally unfit for manual labor by reason of chronic interstitial nephritis, general arteriosclerosis, and a condition of the feet called erythromelalgia, this latter trouble making it difficult for him to get around. Other physicians have treated him for heart disease, neuralgia, and degeneration of the nerves of the leg.

Lay testimony shows that soldier has a house and lot worth \$600, encumbered for \$550; that he has no means of support for himself and wife but his pension.

An increase to \$30 is recommended.

H. R. 14435. George Livingston, aged 71 years, served as a private in Company C, Twentieth Regiment Wisconsin Infantry, from August 9, 1862, to July 14, 1865 (2 years and 11 months), and is now a pensioner under the act of July 14, 1862, at \$17 per month, for catarrh of head and slight deafness of both ears.

Address, Hot Springs, S. Dak.

The pensioned causes were shown in medical examination of January 3, 1906.

Dr. R. D. Jennings, August 2, 1911, states that pensioner suffers from chronic catarrh of nose, throat, and ears, weak heart, chronic rheumatism, gastritis, constipation, cystitis, and fracture of right leg above ankle; that he is totally disabled to earn a support.

Other testimony of comrades is that he has no real or personal property and no income but his pension.

An increase to \$36 is proper.

H. R. 14446. Commodore O. Perry, aged 68 years, served as a private in Company B, Twenty-eighth Regiment New York Volunteer Infantry, from May 22, 1861, to June 2, 1863; and in Company E. Fifteenth Regiment New York Volunteer Cavalry, and Company E. Second Regiment New York Provisional Volunteer Cavalry, from June 7, 1863, to August 9, 1865 (4 years 2 months and 12 days), and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of disease of heart, varicose veins of right leg, disease of digestive organs, and disease of lungs.

Address, Niagara Falls, N. Y.

Board of surgeons, April 25, 1901, found varicose veins of right leg, disease of lungs, and incised wound of left foot.

Medical testimony is that applicant has chronic bronchitis and edematous condition of legs; the condition of the legs is described as very bad, and the applicant is stated to be unable to do manual labor.

Other testimony is that applicant has no property except some household goods.

An increase to \$30 a month is recommended.

H. R. 14470. Frank F. Pullen, aged 70 years, served as a private in Company F, Third Regiment Massachusetts Volunteer Cavalry, from August 1, 1862, to May 20, 1865 (2 years 9 months and 19 days), and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of loss of third finger, of right hand and loss of left leg.

Address, Warwick, R. I.

Board of surgeons, April 16, 1891, found loss of third finger of right hand, partial loss left index finger, and loss of left leg below knee.

Medical testimony is that applicant has cardiac and general weakness, chronic bronchitis; his condition has been aggravated by a fracture of the left femur and a subsequent amputation of the leg below the knee. He is unfitted for labor.

The applicant depends for his support upon his pension, State aid, and the assistance of his neighbors.

An increase to \$30 a month is recommended.

H. R. 14521. Francis M. Sutton, aged 78 years, served as a corporal in Company G, Fifty-first Regiment Missouri Volunteer Infantry, from February 24, 1865, to August 31, 1865 (6 months and 7 days), and is now a pensioner under the act of February 6, 1907, at \$20 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of total inability to earn a support by manual labor.

Address, Bolckow, Mo.

Board of surgeons, November 16, 1898, found disease of eyes, disease of kidneys, piles, diarrhea, and rheumatism and resulting disease of heart.

Medical testimony is that applicant is a helpless invalid and requires the constant attendance of another person.

Other testimony is that applicant has a two-room house and a small amount of household goods and has no income but his pension.

An increase to \$24 a month is recommended.

H. R. 14544. Charles R. Brown, aged 66 years, served as a private in Company L, First Regiment Maine Heavy Artillery, from January 4, 1864, to September 11, 1865 (1 year 8 months), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

Formerly pensioned under the general law at \$10 for chronic diarrhea and resulting disease of liver and piles, rheumatism, and vertigo,

result of sunstroke, which were shown on medical examination September 4, 1901; also an inguinal hernia and impaired eyesight.

Address, Patten, Me.

Dr. E. J. Farnham, January 5, 1911, has treated soldier for attacks of dizziness, nausea, and vomiting, hemorrhoids, and right inguinal hernia. He is incapacitated for manual labor.

Pensioner has no real estate and but little personal property. is no longer able to perform manual labor, and has no outside income.

An increase to \$30 is recommended.

H. R. 14644. Charles G. Mason, aged 64 years, served as a private in Company E, Second Regiment Connecticut Volunteer Heavy Artillery, from July 30, 1862, to July 17, 1865 (3 years less 13 days), and is now a pensioner under the act of July 14, 1862, at \$17 per month on account of gunshot wound of right thigh, shell wound of head, and disease of left testicle.

Address, 168 Leete Street, West Haven, Conn.

Board of surgeons, August 16, 1911, found pensioned disabilities.

Medical testimony is that applicant has enlarged prostate gland and cystitis and stone in the bladder; he has diabetes insipidus. Medical testimony describes wounds above referred to. Applicant is unable to do manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$36 a month is recommended.

H. R. 14751. Nannie K. Thomas, aged 43 years, is the widow of William B. Thomas, who served as a private in Company B, Fourth Regiment Ohio Cavalry, from September 15, 1863, to July 15, 1865 (1 year 10 months).

Address, R. F. D. No. 1, Muir, Ky.

Soldier applied for pension December 6, 1892, but was rejected on the ground of no ratable disability; he died April 27, 1895. He and the applicant were married December 17, 1890. She has never been pensioned. Their son, William K. Thomas, born October 17, 1893, was pensioned at \$8 and \$2 from June 3, 1903, until he became 16. October 17, 1909; his mother, this applicant, was his guardian.

Two physicians testify that they have treated applicant many times for cough, constitutional weakness, etc.; that she is frail and unable to make a living.

Two neighbors testify that she has no property and no income from any source except her own labor; that she is not physically able to earn a support; that she makes her home with her father, and is dependent upon others for a support.

A pension of \$12 a month is recommended.

H. R. 14782. William McCutcheon, aged 75 years, served as a private in Company F, Ninth Regiment Pennsylvania Reserve Infantry, from April 22, 1861, to May 11, 1864 (3 years and 1 month), and is now a pensioner under the act of July 14, 1862, at \$20 per month for deafness.

Address, Washington, Iowa.

Medical examination, June 16, 1886, was based on pensioned cause alone.

Dr. D. Arthod, November 11, 1911, testifies that soldier is suffering from rheumatism of hips, limbs, and back; he had a fall which has

aggravated his condition; it is difficult for him to get around; and he is unable to do manual labor of any kind. This is corroborated by Dr. J. H. Hull.

Four prominent citizens who are pensioner's neighbors testify that he owns nothing but his small and humble home in which he and his old wife live; that he has been unable to work for several years; and he has no income except his pension.

An increase to \$40 is recommended.

H. R. 14841. George A. Taintor, aged 71 years, served as a private in Company A, Thirteenth Regiment Massachusetts Infantry Volunteers, from July 16, 1861, to February 14, 1863 (1 year and 8 months), and is now a pensioner under the act of July 14, 1862, at \$17 per month on account of gunshot wound of right arm.

Increase denied by Bureau of Pensions October 12, 1911.

Medical examination, September 23, 1911, rates as above; no other disability shown.

Address, Roxbury, Mass.

Dr. F. C. Hersey states that the wound is a grave disability; that soldier's eyesight is so much impaired he can do no clerical work, and is wholly incapacitated.

Dr. J. W. Sanborn states the failing vision is due to cataract.

The city assessor says that all the property is a lot of ground assessed at \$1,200, from which no income is derived. Soldier's only income is his pension.

Old, crippled by wound, helpless, and with no source of support but his pension an increase to \$36 is justified.

H. R. 14900. Joseph Hornung, aged 69 years, served as a private in Company L, First Regiment Ohio Light Artillery Volunteers, from July 24, 1862, to July 4, 1865 (2 years 11 months and 10 days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of July 14, 1862, at \$8 per month by reason of disease of lungs and catarrh of head.

Address, 465 East Eighth Street, Portsmouth, Ohio.

Board of surgeons, December 2, 1903, found catarrh.

Medical testimony is that applicant has chronic catarrh of nose and throat, ulceration of stomach and consequent hemorrhages, has senile tremor of both hands and head, chronic hypertrophy of prostate gland, bleeding hemorrhoids, and rather frequent hemorrhages from the rectum, and is totally incapacitated for manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$36 a month is recommended.

H. R. 14903. Esther E. Bailey, aged 76 years, is the widow of George N. Bailey, who served as a corporal in Company C, Fifteenth Regiment Connecticut Infantry, from July 11, 1862, to March 8, 1865, when he died from wounds received in battle.

Soldier and applicant were married June 1, 1855, and she has been pensioned at \$8 under the general law from the date of his death, with \$2 additional for each of two children from July 25, 1866, until they each became 16. She now receives \$12 a month since April 19, 1908.

Address, Middletown, Conn.

Dr. J. F. Coley, November 21, 1911, says she has been confined to bed since October 10, 1911, in Middlesex Hospital. He reports *arcus senilis* well marked, heart disease, eczema of both legs, kidney trouble, and is very weak.

Other testimony shows she has no home, no relatives, no support but her pension; that she can not feed or clothe herself.

Quite old, helpless, destitute, and since she gave her husband to her country, an increase to \$20 a month is recommended to assist in her comfort.

H. R. 14914. Daniel Wright, aged 69 years, served as a private in Company A, Ninety-third Regiment Illinois Volunteer Infantry, from August 23, 1862, to June 2, 1865 (2 years 9 months 9 days), and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of wound of nose, disease of lungs, and left femoral hernia.

Address, Frazer, Iowa.

Board of surgeons, October 18, 1899, found pensioned disabilities.

Medical testimony is that applicant has optic atrophy, and at the present time he is unable to read and only gets about with difficulty. He is unable to do manual labor.

Other testimony is that applicant has a house worth \$300 and no income but his pension.

An increase to \$30 a month is recommended.

H. R. 14963. John H. Ballmer, aged 62 years, served as a drummer in Company G, One hundred and sixty-third Regiment Ohio National Guard Infantry, from May 2, 1864, to September 10, 1864 (4 months), and is now a pensioner under the act of July 14, 1862, at \$17 per month on account of chronic diarrhea and resulting disease of rectum.

Address, McClure, Ohio.

The applicant alleges total disability to labor by reason of disease of rectum, chronic diarrhea, rheumatism, and hernia. He states that he has no property and no income except his pension.

Medical testimony shows total incapacity to labor, and lay testimony shows that he has been totally disabled for labor for 10 years past.

Board of surgeons at Toledo, Ohio, February 1, 1911, rates him at seventeen-eightieths for diarrhea and disease of rectum.

Two neighbors, March 30, 1912, testify that pensioner has no real or personal property or income except his pension and that he is physically unable to labor.

An increase to \$24 is recommended.

H. R. 15047. Thomas H. Scott, aged 72 years, served as a corporal in Company E, Fifteenth Regiment New York Volunteer Cavalry, and in Company E, Second Regiment New York Provisional Volunteer Cavalry, from July 28, 1863, to September 4, 1865 (2 years 1 month and 6 days), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$10 per month by reason of rheumatism, general debility, and gunshot wound of right leg and injury of right side.

Was formerly pensioned under the act of July 14, 1862, at \$6 per month, for gunshot wound of right leg and injury of right side.

Address, 739 Bismark Avenue, Indianapolis, Ind.

Board of surgeons, November 25, 1903, found gunshot wound of right leg, rheumatism, and debility.

Medical testimony is that applicant has a direct inguinal hernia on the right side; the right eye is in a greatly impaired condition; and he suffers from the effect of wounds and injuries received in service.

He has personal property of the value of \$100.

An increase to \$30 per month is recommended.

H. R. 15052. Christian H. Snyder, aged 67 years, served as a private in Company E, One hundred and ninety-fifth Regiment Pennsylvania Infantry, from February 28, 1865, to January 31, 1866 (11 months), and is now a pensioner under the act of July 14, 1862, at \$30 per month on account of sunstroke and resulting disease of heart and epilepsy.

Address, York, Pa.

He was last examined April 24, 1912, and rated by the board of surgeons at \$50 for pensioned causes, but increase was denied by Bureau of Pensions on the ground that his condition was in part due to hemiplegia.

Evidence recently filed shows that he requires the constant attendance of another person; that his right side is helpless; that he must be washed and cared for like a small child; that he has no property—real or personal—and no support but his pension.

An increase to \$40 is recommended.

H. R. 15063. John Ferrier, aged 80 years, served as a private in Company E, Eighty-sixth Regiment Ohio Volunteer Infantry, from June 24, 1863, to February 10, 1864 (7 months 16 days), and is now a pensioner under the act of February 6, 1907, at \$20 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of total inability to earn a support by manual labor.

Was formerly pensioned under the act of July 14, 1862, at \$2 per month for injury of left hip.

Address, Newton, Iowa.

Board of surgeons, February 20, 1901, found catarrh, constipation, and disease of rectum.

Medical testimony is that applicant has progressive atrophy of left leg and irritable heart; can not do manual labor.

Other testimony is that applicant is wholly without means and dependent upon his pension for support.

An increase to \$24 a month is recommended. Short service.

H. R. 15066. Frieztz Heinrich, aged 75 years, served as a private in Company E, Fifty-ninth Regiment Illinois Volunteer Infantry, from August 2, 1861, to December 8, 1865 (4 years 4 months 6 days), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$10 per month by reason of varicose veins of left leg, injury of left hip, and rheumatism.

Address, Plattsmouth, Nebr.

Board of surgeons, September 6, 1905, found varicose veins of left leg, injury of muscle of left leg, and advancing age.

Medical testimony is that applicant is unable to do manual labor.

Other testimony is that applicant is a very poor man and entirely dependent upon his pension for a support.

An increase to \$30 a month is recommended.

H. R. 15078. William Shug, aged 64 years, served as a private in Battery L, First Regiment Michigan Volunteer Light Artillery, from February 8, 1864, to August 22, 1865 (1 year 6 months 14 days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$8 per month by reason of senile and general debility.

Address, 68 Herkimer Street, Brooklyn, N. Y.

Board of surgeons, November 24, 1909, found pensioned causes.

Medical testimony is that applicant is afflicted with chronic bronchitis and rheumatism; is unable to do manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$30 a month is recommended.

H. R. 15079. William Mack, aged 68 years, served as a private and corporal in Company B, Nineteenth Regiment New York Volunteer Cavalry, from August 7, 1862, to June 21, 1865 (2 years 10 months 14 days), and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of left hernia, disease of stomach, and injury to right ankle.

Address, 105 Troutman Street, Brooklyn, N. Y.

Board of surgeons, December 11, 1895, found disease of heart, liver, and left inguinal hernia.

Medical testimony is that applicant has chronic articular rheumatism, chronic dyspepsia, and nervous breakdown; is unable to do manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$30 a month is recommended.

H. R. 15081. Frank Drew, alias Frank Drube, aged 70 years, served as a seaman on U. S. S. *North Carolina* and *Susquehanna*, United States Navy, from August 6, 1864, to August 26, 1867 (3 years and 20 days), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$6 per month by reason of rheumatism and injury to left leg.

Address, 24 Lee Avenue, Brooklyn, N. Y.

Board of surgeons, May 3, 1899, found rheumatism, lumbago, disease of throat, catarrh, senile debility, and injury to left leg.

Medical testimony is that applicant has suffered the amputation of the left leg at the upper third of the thigh; is wholly unable to do manual labor.

Other testimony is that applicant is in needy circumstances, depending upon his pension for a support.

The applicant had a long and honorable service; he is now in a helpless condition. An increase to \$30 a month is recommended.

H. R. 15164. Charles Sergeant, aged 75 years, served as a private in Company A, Seventy-sixth Regiment New York Volunteer Infantry, and in Company E, One hundred and forty-seventh New York Volunteer Infantry, and in Company I, Ninety-first Regiment New York Volunteer Infantry, from August 21, 1863, to July 3, 1865 (1 year 10 months and 12 days). Is now pensioned under the act of February 6, 1907, at \$15 per month for age.

Was formerly pensioned under the act of June 27, 1890, at \$12 per month for tumor on left shoulder and nearly total deafness of left ear.

Address, Laingsburg, Mich.

Board of surgeons, July 4, 1894, found pensioned causes.

Medical testimony is that applicant has diseased heart; one arm is practically useless; sight and hearing are failing. The physician describes the applicant's condition as deplorable.

It appears that applicant has no means.

An increase to \$30 a month is recommended.

H. R. 15204. William M. Mitchell, aged 68 years, served as a private and corporal in Company F, Seventeenth Regiment Illinois Volunteer Infantry, and in Company E, Eighth Regiment Illinois Volunteer Infantry, from February 26, 1862, to May 4, 1866 (4 years 2 months and 8 days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$8 per month by reason of rheumatism and disease of heart.

Address, Rock Island, Ill.

Board of surgeons, March 21, 1900, found pensioned causes, also piles and disease of liver.

Medical testimony is that applicant has valvular disease of the heart, neuralgia of the heart, hardening of the arteries, and anemic condition of the blood; is unable to work.

From the testimony it appears that the only support of the applicant is his pension.

An increase to \$30 a month is recommended.

H. R. 15210. Salmon A. Buell, aged 84 years, served as an acting midshipman, United States Navy, from October 1, 1847, to August 5, 1850, and as major in First Minnesota Cavalry (Mounted Rangers), from December 17, 1862, to December 3, 1863 (11½ months), and is now a pensioner under the act of February 6, 1907, at \$20 per month.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of double inguinal hernia, disease of heart, and senility.

The soldier has no income other than pension; is unable to do any labor, owing to age and physical disabilities; has no property that produces any income and, it being of little value, is a source of expense and no revenue whatever is derived therefrom at any time.

Medical evidence shows existence of double inguinal hernia and hydrocele, enlarged prostate gland, subacute inflammation of liver, enlarged and dilated heart, and arteriosclerosis.

The soldier's age, financial condition, and long service justify an increase of pension, and a rating of \$36 is recommended.

H. R. 15226. James H. Biteman, aged 68 years, served as a private in Company D, Ninety-fourth Regiment Ohio Volunteer Infantry, from August 3, 1862, to September 26, 1865 (3 years 1 month and 23 days), and is now a pensioner under the act of July 14, 1862, at \$17 per month for chronic diarrhea and resulting disease of rectum.

He was formerly pensioned under the act of June 27, 1890, at \$10 per month by reason of chronic diarrhea, disease of rectum, and rheumatism.

Address, National Military Home, Ind.

Board of surgeons, June 14, 1911, found chronic diarrhea and disease of rectum.

Medical testimony describes myalgia, constipation, rheumatism, diarrhea, and conjunctivitis. It appears that the applicant is unable to do manual labor.

The Member introducing the bill states that the applicant is wholly dependent upon his pension for support.

An increase to \$30 a month is recommended.

H. R. 15236. Rebecca Behrmann, aged 81 years, is the widow of John H. H. Behrmann, who served as a private in Company C, Hatch's independent battalion, Minnesota Cavalry, from August 28, 1863, to June 22, 1866 (2 years and 10 months).

Address, Cherrelyn, Colo.

Soldier had been pensioned under the general law at \$4 for frosted feet and disease of urinary organs, and subsequently, under the act of June 27, 1890, at \$12.

He died October 13, 1901, and his accrued pension was paid to his widow, this applicant. She and soldier were married April 12, 1894. Each had buried a former spouse.

Dr. H. Grieger says she is suffering from chronic bronchitis and senility; that she has bad eyes, being troubled with astigmatism; that arteriosclerosis is present in a marked degree, and she is quite feeble and hard of hearing.

She and others testify that she has no property of any value and has no income or means of support.

Her extreme age, her helplessness, and poverty call loudly upon the sympathies of all, and a rate of \$12 is allowed.

H. R. 15238. Makajah T. Hill, aged 68 years, served as a private in Company A, One hundred and forty-fifth Regiment Illinois Volunteer Infantry, from May 2, 1864, to September 23, 1864 (4 months and 21 days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$10 per month by reason of disease of throat, heart, eyes, and rectum, chronic diarrhea, and injury of left leg.

Address, Marion, Ill.

Board of surgeons, August 8, 1894, found pensioned causes.

Medical testimony is that applicant has disease of heart, chronic articular rheumatism, kidney trouble with inability to retain urine, hemorrhoids, and loss of sight of left eye, and is unable to do manual labor.

Other testimony is that applicant has a house and lot and his household goods; has no other property and no income but his pension.

An increase to \$20 a month is recommended.

H. R. 15253. Hiram Budinger, aged 73 years, served as a private in Company I, One hundred and thirty-first Regiment Pennsylvania Infantry, from August 4, 1862, to May 23, 1863 (nine months), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of severe deafness of both ears, locomotor ataxia, and senile debility.

Address, Jersey Shore, Pa.

Medical examination, July 26, 1905, shows the pensioned causes.

Dr. H. L. Molen, September 23, 1911, certifies that soldier has suffered from locomotor ataxia for the last 10 years to such an extent as to totally disable him for manual labor.

Two neighbors testify that soldier possesses a little house which he occupies; that his pension is not sufficient to keep him in his old age, as he can do no manual labor.

An increase to \$24 is recommended.

H. R. 15333. John Tipton, aged 68 years, served as a private in Company C, Fifty-ninth Regiment Indiana Infantry, from February 1, 1862, to July 17, 1865 (three years and five months), and is now a pensioner under the act of July 14, 1862, at \$17 per month on account of chronic diarrhea and resulting hemorrhoids, and rheumatism and disease of heart.

Address, Sullivan, Ind.

Medical examination, February 12, 1908, disclosed the pensioned causes, also some disease of liver, spleen, and lungs.

Dr. G. F. Plew, November 29, 1911, says soldier is badly afflicted with rheumatism and piles and is totally disabled. Dr. R. T. Thralls has treated him for rheumatism, bronchial catarrh, and heart trouble.

Pensioner has some personal property of no great value, excepting two promissory notes amounting to \$200.

Other testimony states that soldier was once a prosperous farmer, but his disabilities interfered with working, and his wife was paralyzed for four years, could not walk or talk, and their condition used up all his means.

An increase to \$36 is recommended.

H. R. 15379. Jacob M. Neely, aged 71 years, served as a private in Company C, Twenty-second Regiment Indiana Infantry, from August 15, 1861, to August 3, 1862 (11½ months), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of July 14, 1862, at \$14 per month by reason of disease of testicles, result of mumps.

Address, Martinsville, Ind.

Medical examination, April 26, 1911, declares that owing to disease of testicles, to say nothing of his age, he is completely incapacitated for labor of any kind, and rates him \$30.

Dr. F. C. Robinson states the left testicle is very tender to touch, and held firmly against the inguinal ring by a hard tender mass, probably the result of an inflammatory process. Pensioner has severe pains in the region of the first and second lumbar nerves. He is corroborated by Dr. F. A. Maxwell, who considers pensioner unable to perform manual labor.

The county auditor certifies that he is assessed with property, real and personal, at \$1,860, and a recorded mortgage thereon of \$1,200.

A neighbor testifies that this real estate is worth \$2,500; mortgage thereon \$1,200; he has borrowed \$600 and loaned out \$2,000. He has a widowed daughter and her two children to support.

An increase to \$24 is allowable.

H. R. 15387. Frederick Bonnet, aged 69 years, served as a private in Company E, Twentieth Regiment New York Volunteer Infantry, from July 9, 1861, to December 1, 1862 (17 months), and is now a pensioner under the act of July 14, 1862, at \$17 per month on account of gunshot wound of left foot, and complete left inguinal hernia.

The soldier's address is St. Louis, Mo. He was discharged from service on account of disability, the pensioned causes.

Increasing disability and advancing age are assigned as causes for increase of pension.

The last medical examination by a medical board was made June 27, 1894; showed considerable lameness from the gunshot wound. The missile passed through the bones of the foot. Also a left scrotal hernia; the tumor passes the external ring and measures 9 inches from such ring to apex, and is 14 inches in circumference; the inguinal canal is obliterated, and the abdominal ring admits three fingers.

It is thus shown that the disabilities are due to service, and that soldier is entitled to an increase.

A rating of \$30 is recommended.

H. R. 15420. Milton S. Lawhead, aged 70 years, served as a sergeant in Company E, One hundred and forty-ninth Regiment Pennsylvania Infantry, from August 13, 1862, to June 24, 1865 (2 years 10 months), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of rheumatism and resulting disease of heart, and injury to left wrist.

Prior thereto he was pensioned under the general law at \$6 for injury to left wrist.

Medical examination, September 1, 1897, discloses rheumatism, lumbago, disease of heart, injury to left wrist, sciatica, and general debility.

Address, Clearfield, Pa.

Dr. S. D. Bailey, December 8, 1911, assisted in an operation for the removal of pensioner's appendix; he also had a ventral hernia, heart disease, thickening of left knee joint, and is totally incapacitated for manual labor.

Soldier and his witnesses say he has no money income from any source—no money in bank, stocks, bonds, or other investments. He however, owns two small dwellings, in one of which he lives, its

value, \$800; the other he rents at \$5 a month, its value \$300; it is rented but a portion of the year.

An increase to \$30 is recommended.

H. R. 15442. Milo Paden, aged 68 years, served as a private in Company B, Thirty-ninth Regiment Pennsylvania Volunteer Infantry, from June 12, 1861, to December 1, 1862 (1 year 5 months 19 days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$10 per month by reason of disease of rectum and rheumatism.

Address, Marion, Ill.

Board of surgeons, June 3, 1897, found partial loss of left hand.

Medical testimony is that applicant has suffered the loss of three fingers of the left hand, and the index finger is drawn down and almost completely ankylosed; the muscles of left arm are atrophied and not of much use to him; the back muscles on the right side are atrophied; he has varicose veins; both the right and left tibia have been broken; is unable to do manual labor.

Other testimony is that applicant has no property except some household goods, and no income but his pension.

An increase to \$30 a month is recommended.

H. R. 15444. Samuel N. Mathews, aged 73 years, served as a wagoner in Company I, Eighteenth Regiment Iowa Infantry, from July 7, 1862, to March 14, 1863 (8½ months), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under act of June 27, 1890, at \$12 for rheumatism, disease of rectum, senile debility, and disease of kidneys, all of which were shown in medical examination of June 7, 1905.

Address, Evansville, Ill.

Dr. J. G. Beattie, February 26, 1912, reports pensioner a chronic sufferer from rheumatism of the hips and internal piles, and that he is totally incapacitated for manual labor.

Dr. K. O. Urban corroborates this statement, as does Dr. F. J. Meyer.

Two neighbors swear that pensioner's real estate consisting of a small cottage is valued at \$600, and is mortgaged for \$450, and he has personal property to the value of \$500 and a pension of \$15 per month.

An increase to \$24 is recommended.

H. R. 15557. Oscar F. Town, aged 73 years, served as a landsman on U. S. S. *Vermont* and *Daffodil*, United States Navy, from August 31, 1864, to July 13, 1865 (10 months 12 days), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$10 per month by reason of disease of heart, urinary organs, and rectum, and senile debility.

Address, 52 Dyer Avenue, Riverside, R. I.

Board of surgeons, May 2, 1904, found enlarged prostate and senility.

Medical testimony is that applicant, as a result of a cerebral hemorrhage, is unable to do any work; he needs the constant aid and attendance of another person.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$30 a month is believed to be entirely warranted in view of the helpless condition of the applicant, needing, as is shown, the constant aid and attendance of another person.

H. R. 15659. Daniel W. Hickman, aged 78 years, served as a corporal in Company B, Thirty-second Regiment Illinois Volunteer Infantry, from August 22, 1861, to September 16, 1865 (4 years and 24 days), and is now a pensioner under the act of July 14, 1862, at \$24 per month on account of nervous debility and partial paralysis of upper extremities.

Address, Barry, Mo. Was a prisoner of war.

Board of Surgeons, July 2, 1890, found pensioned causes.

Medical testimony is that applicant is so afflicted with paralysis agitans that he is almost unable to feed himself and is unable to do manual labor.

Other testimony is that applicant has one old mare, blind in one eye, one cow, one calf, a few chickens, household goods for a three-room house, all worth about \$75, and no other property; it appears that his income is his pension.

An increase to \$36 a month is recommended.

H. R. 15846. George W. Foster, aged 69 years, served as a private and corporal in Company B, One hundred and seventeenth Regiment New York Volunteer Infantry, from August 4, 1862, to June 2, 1865 (2 years 9 months and 28 days), and is now a pensioner under the act of July 14, 1862, at \$17 per month for rheumatism, complicated with heart disease, and gunshot wound of left hand, resulting in loss of little finger.

He was formerly pensioned under the act of February 6, 1907, at \$12 per month by reason of age.

Address, Nashau, Iowa.

Board of surgeons, October 11, 1911, found parietic dementia and incompetent heart, and rated at \$50 per month.

Medical testimony, under date of January 29, 1912, found the condition of dementia and heart noted above; the patient is totally unable to do manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$36 a month is recommended.

H. R. 15965. James A. Palmer, aged 76 years, served as a corporal, also as a commissary sergeant, in Company H, Fourteenth Regiment Iowa Volunteer Infantry, from October 16, 1861, to November 16, 1864 (3 years 1 month), and is now a pensioner under the act of February 6, 1907, at \$20 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of total inability to earn a support by manual labor.

He was formerly pensioned under the act of July 14, 1862, at \$6 per month for rheumatism, chronic diarrhea, and resulting piles.

Address, Elgin, Ill.

Board of surgeons May 25, 1904, found rheumatism and resulting disease of heart, chronic diarrhea and results, piles, and catarrh.

Medical testimony is that applicant suffers from cystitis and must use artificial means to evacuate his bladder. Such is his condition from severe bladder disease that he is unable to do manual labor. Lay testimony shows that pensioner possesses no real estate, but has personal property estimated at \$2,000 to \$2,500, and his net income exclusive of his pension does not exceed \$175 to \$200.

An increase to \$30 is allowed.

H. R. 15988. Samuel T. Chambers, aged 78 years, served as a private and first sergeant in Company B, Twenty-sixth Regiment Indiana Volunteer Infantry, from July 30, 1861, to January 15, 1866 (4 years 5 months 15 days), and is now a pensioner under the act of February 6, 1907, at \$20 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of total inability to earn a support by manual labor.

Was formerly pensioned under the act of July 14, 1862, at \$8 per month for chronic diarrhea and resulting disease of rectum.

Address, Princeton, Idaho.

Board of surgeons, February 13, 1901, found disease of dorsal vertebra and general debility due to chronic diarrhea and to old age.

Medical testimony is that applicant has valvular lesion of the heart, curvature of the spine, partial peripheral neuritis of the right arm, and very poor sight; he is unable to do manual labor.

Other testimony shows that besides his pension he has about \$25 a year income, which is insufficient, as he is entirely disabled for manual labor. This income is from the real estate he formerly owned and sold.

An increase to \$30 is recommended.

H. R. 15995. John R. English, aged 69 years, served as a private in Company H, Twenty-third Regiment New Jersey Infantry, from September 1, 1862, to April 15, 1863 (7½ months), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

Formerly pensioned under act of June 27, 1890, at \$6 for injury of right knee and disease of heart.

Address, Bergen, N. J.

Pensionable causes were shown in medical examination of March 12, 1905.

Dr. W. C. Craig December 1, 1911, describes changes due to age and heart trouble.

The village collector states that the only income of pensioner is from his pension of \$12 a month and \$4 a week from odd jobs he can pick up.

Others say he has no real estate or personal property, except a few household goods. His son, who assists him, is at present thrown out of work.

An increase to \$20 a month is recommended.

H. R. 16048. Thomas L. Curas, aged 66 years, served as a private in Company D, Forty-fourth Regiment Iowa Infantry. from May 6

to September 15, 1864 (4 months and 9 days), and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of rheumatism, indigestion, impaired vision, and chronic diarrhea.

Address, Battle Creek, Nebr.

Board of surgeons, October 28, 1891, pensioned disabilities and dilatation of heart.

Medical testimony is that from chronic diarrhea, rheumatism, conjunctivitis, cystitis, disease of prostate gland and urethra, poor eyesight, and chronic rheumatic pains, applicant is totally disabled from performing manual labor. Part of his urine passes through a fistula through the rectum.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$20 is recommended.

H. R. 16055. John H. Austin, aged 73 years, served as a private in Company F, Fifty-sixth Regiment New York Volunteer Infantry, from June 12, 1861, to November 20, 1862 (1 year 5 months and 8 days), and is now a pensioner under the act of July 14, 1862, at \$24 per month on account of gunshot wound of left thigh, disease of heart, and hemorrhoids and resulting disease of rectum result of diarrhea.

Address, Tekamah, Nebr.

Board of surgeons, July 19, 1911, found gunshot wound of left thigh, hemorrhoids, small umbilical hernia, arteriosclerosis, heart enlarged with weakened action, enlarged prostate, cystitis, and indigestion. Board rated at \$30 per month.

Medical testimony is that applicant has gunshot wound of left thigh, fatty degeneration of heart, gastrointestinal indigestion, hemorrhoids, and ulceration of mucous membrane of rectum; is unable to do manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$36 per month is recommended.

H. R. 16116. Calvin B. Castelo, aged 68 years, served as a private in Company D, Fifth Regiment Michigan Cavalry, from November 10, 1862, to June 26, 1865 (2 years and 7 months), and is now a pensioner under the act of July 14, 1862, at \$30 per month on account of disease of gums, result of scurvy and impure vaccination, and resulting partial paralysis, and rheumatism. Application for increase rejected March 23, 1911.

Address, Toledo, Ill.

Medical examination, March 9, 1911, shows results of scurvy; three years ago had stroke of paralysis, which occasioned right hemiplegia, this side helpless; arteries hardened moderately; and requires the frequent but not constant care of another person.

Dr. H. Megrath, April 29, 1912, testifies that pensioner had a stroke of paralysis five years ago, totally disabling the right side, and has paresis of left side; that he is unable to button his clothes; and can not do manual labor.

The county records show a mortgage of \$533 on pensioner's residence due this year (in May); the residence is valued at \$1,200. Other testimony shows that soldier's only income is his pension.

An increase to \$50 is recommended.

H. R. 16202. William J. Sneed, aged 68 years, served as a private in Company C, Sixth Regiment Illinois Volunteer Cavalry, from March 15, 1865, to November 5, 1865 (7 months and 20 days), and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of rheumatism, disease of heart, rectum, and testicles, and neuralgia.

Address, Herrin, Ill.

Board of surgeons, December 23, 1891, found pensioned causes; also piles.

Medical testimony is that applicant has rheumatism and lumbago and piles; has chronic liver trouble; has enlarged prostate gland. It appears that he is unable to do manual labor.

The applicant has no property and his income is his pension.

An increase to \$24 a month is recommended.

H. R. 16234. Stephen J. Still, aged 69 years, served as a private in Company I, Second Regiment Arkansas Volunteer Cavalry, from April 17, 1864, to August 20, 1865 (1 year 4 months and 3 days), and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of injury to right wrist, nasopharyngeal catarrh, rheumatism, disease of heart, and senile debility.

Address, Tomahawk, Ark.

Board of surgeons, June 20, 1906, found injury to right wrist, catarrh, disease of heart, rheumatism, and constipation.

Medical testimony is that applicant has lumbago and a dislocation of the ulna of the right arm, which incapacitate the applicant permanently from doing manual labor.

Other testimony is that applicant has personal property worth about \$325 and no income but his pension.

An increase to \$30 a month is recommended.

H. R. 16236. Samuel L. Riley, aged 77 years, served as a corporal in Company H, Ninety-third Regiment Indiana Volunteer Infantry, from August 20, 1862, to June 16, 1865 (2 years 9 months and 26 days), was a prisoner of war, and is now a pensioner under the act of February 6, 1907, at \$20 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of right inguinal hernia, disease of heart and stomach, and senile debility.

Was formerly pensioned under the act of July 14, 1862, at \$8 per month for disease of mouth, result of scurvy.

Address, Eureka Springs, Ark.

Board of surgeons, December 5, 1906, found results of scurvy and right inguinal hernia.

Medical testimony is that applicant has stomatitis and pyorrhea, considered to be the result of scurvy. He also suffers from a large right inguinal hernia; has a defective condition of feet and lower limbs; has dribbling of urine and cystitis. The physician describes the applicant's condition as pitiable.

Other testimony is that applicant has no property and no income but his pension.

In view of applicant's long and honorable service, his having been a prisoner of war, his having contracted scurvy—which in its secondary form is a virulent systemic poison—and his grievous dis-

abilities, an increase to \$36 a month is strongly recommended by the committee.

H. R. 16241. William Palmer, aged 68 years, served as a private in Company B, Ninth Regiment Ohio Cavalry, from October 15, 1862, to July 20, 1865 (2 years and 9 months), and is now a pensioner under the act of February 6, 1907, at \$12 per month, on account of age.

Formerly pensioned under act of June 27, 1890, at \$6 for lumbago. Address, Parkersburg, W. Va.

Medical testimony, May 16, 1906, finds nasopharyngeal catarrh, weak heart, lumbago, and rheumatism.

Dr. C. E. Casto, December 13, 1911, declares he is suffering with conjunctivitis of both eyes, enlarged prostate, chronic cystitis, catarrh of nose and throat, lumbago, weak heart, and is totally incapacitated for manual labor.

Pensioner and neighbors swear that he has an aged wife to support; that he has no property or income that yields a support beyond \$50 a year, save his pension.

An increase to \$30 a month may be allowed.

H. R. 16243. Norman D. McKown, aged 72 years, served as a sergeant in Company B, Ninth Regiment West Virginia Infantry, from September 16, 1861, to October 5, 1864 (3 years), and is now a pensioner under the act of February 6, 1907, at \$15 per month, on account of age.

Formerly pensioned under the general law at \$14 for injury of head and resulting vertigo, for which examined and found September 8, 1909.

Address, Spencer, Ind.

Dr. C. O. Staats, January 25, 1912, testifies that pensioner is completely incapacitated for manual labor; that his hearing is very bad, his eyesight very poor, and he is suffering from neuralgia of heart or angina pectoris, and his only support is his pension.

Pensioner and the mayor of Spencer testify that soldier has no property, no income or support but his pension, and that he can do no manual labor.

An increase to \$30 is recommended.

H. R. 16246. James R. Reeder, aged 69 years, served as a private in Company C, First Regiment West Virginia Volunteer Cavalry, from September 17, 1861, to July 8, 1865 (3 years 9 months and 21 days), and is now a pensioner under the act of February 6, 1907, at \$12 per month, on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$8 per month by reason of rheumatism, disease of heart, and pharyngitis.

Address, Parkersburg, W. Va.

Board of surgeons, April 20, 1904, found rheumatism, nasopharyngeal catarrh, disease of stomach, and piles.

Medical testimony is that applicant has a well-developed case of senile dementia, so far advanced that the applicant practically does not know what he is doing; he also has rheumatism; he is wholly incapacitated for manual labor.

The applicant states that his income from all sources is less than \$200 per year, aside from his pension.

An increase to \$30 a month is recommended.

H. R. 16275. Hector M. Stocum, aged 76 years, served as a captain in Company D, One hundred and seventh Regiment New York Volunteer Infantry, from August 9, 1862, to March 13, 1863 (seven months), and is now a pensioner under the act of February 6, 1907, at \$20 per month.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of total inability to earn a support by manual labor.

His address is North Tonawanda, N. Y.

Medical evidence shows that soldier suffers with chronic diarrhea, eczema, limited motion left shoulder and left hip, left leg shortened 1½ inches due to an injury on November 11, 1898. He is wholly disqualified for any manual labor. He has no income except his pension and a contribution of \$10 per month made by his son.

No medical examination of claimant has been made by any board of the Pension Bureau.

A rating of \$30 per month is recommended.

H. R. 16272. Michael Fitts, aged 73 years, served as a landsman on the U. S. S. *Ohio*, *Brooklyn*, and *Princeton*, from November 19, 1861, to November 29, 1864 (three years), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

Formerly pensioned under the general law at \$12 for malarial poisoning and resulting piles.

Address, National Soldiers' Home, Me.

Medical examination, July 7, 1909, shows malarial poisoning, piles, and disease of heart.

Dr. B. E. Lamb, November 15, 1911, certifies the pensioner is afflicted with chronic malaria and results; has enlargement of spleen and prostate, loss of teeth, dyspepsia, defective eyesight, and general debility, and is totally unable to perform manual labor.

Neighbors testify that soldier has no property and no income.

An increase to \$30 is recommended.

H. R. 16380. Samuel K. Harris, aged 64 years, served as a private in Company H, Sixth Regiment West Virginia Infantry, from September 9, 1864, to June 10, 1865 (nine months), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

Formerly pensioned under act of June 27, 1890, at \$10 for rheumatism, catarrh, and dyspepsia, shown by medical examination of August 16, 1905; no other disability shown.

Address, Elizabeth, W. Va.

Dr. O. J. Casto, February 16, 1912, testifies that pensioner is wholly unable to earn his support by manual labor by reason of defective eyesight, arterial degeneration, weakness of heart, and inability to control micturition.

It is also shown that soldier owns no real estate, that his personal property is valued at \$225, and that his income from all sources is his pension of \$12 a month.

An increase to \$24 is allowable.

H. R. 16485. Daniel M. Fenton, aged 81 years, served as a fifer in Company G, One hundredth Regiment Indiana Infantry, from August 15, 1862 to June 8, 1865 (2 years and 9 months), and is now a pensioner under the act of July 14, 1862, at \$30 per month on account of chronic diarrhea and resulting disease of rectum, rheumatism and resulting disease of heart.

Address, Pine Village, Ind.

Medical examination, July 9, 1910, rated soldier \$72, saying that he could neither walk nor stand and needed the constant care and attendance of another; he was denied an increase.

Three physicians testify that in 1909, owing to weak heart action, gangrene developed in left great toe and it was amputated; on April 11, 1910, the left leg was amputated just below the knee; that pensioner is a hopeless cripple, incapable of caring for himself.

Other testimony shows that his wife is old and helpless from a stroke of paralysis; that this aged couple make their home with an unmarried daughter, whose entire time is given to waiting upon and caring for her parents. Their only support is the pension of \$30 a month.

The Member introducing the bill says this aged couple are in a condition of abject helplessness and poverty.

An increase to \$50 is recommended.

H. R. 16511. Robert M. Stewart, aged 67 years, served as a private in Capt. Fichthorn's company, One hundred and first Regiment Pennsylvania Infantry, from February 24, 1865, to June 25, 1865 (4 months), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He has never been examined by a board of surgeons.

Address, York Springs, Pa.

Dr. H. B. Pearson testifies that soldier's health failed him a few years ago, and about one year ago he suffered from a stroke of paralysis, rendering his left arm and leg helpless; can not walk without the assistance of some one, and will remain a hopeless invalid all the balance of his life.

Financially he has nothing to depend upon. He did have a few hundred dollars, but by an unfortunate investment this has been lost, which now leaves him without anything.

An increase to \$20 is recommended.

H. R. 16521. Alva M. Courtright, aged 67 years, served as a quartermaster sergeant in Company G, Twenty-first Regiment New York Volunteer Cavalry, from January 4, 1864, to June 29, 1866 (2 years 5 months and 25 days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$10 per month by reason of disease of brain, and rheumatism, and disease of heart.

Address, National Home, Milwaukee, Wis.

Board of surgeons, April 3, 1910, found disease of nervous system, rheumatism, and disease of heart.

Medical testimony is that applicant has general arteriosclerosis with cardiac hypertrophy, aneurism of abdominal aorta, varicose veins of both legs, chronic gastritis, chronic articular rheumatism, and hypertrophy of prostate gland; is unable to do manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$30 a month is recommended.

H. R. 16595. Joseph H. Denton, aged 71 years, served as a private in Company I, Forty-second Regiment Indiana Volunteer Infantry, from August 23, 1862, to June 18, 1865 (2 years and 10 months), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

Formerly pensioned under act of June 27, 1890, at \$8 for disease of rectum and rheumatism.

Address, Shenandoah, Iowa.

Medical examination, May 11, 1898, discloses disease of rectum, rheumatism, heart trouble, and some eye trouble.

Dr. W. A. Lomos, November 24, 1911, has treated soldier for a year for paralysis agitans, which totally incapacitates him for manual labor, and requires assistance in dressing and eating.

Neighbors say he has an invalid daughter, but she is not able to take care of him; that he has no home and has to pay house rent, and his pension is hardly enough to support them; there is no other means of support.

An increase to \$30 is recommended.

H. R. 16166. Henry M. Montgomery, aged 71 years, served as a captain in Company H, One hundred and forty-eighth Regiment Pennsylvania Infantry, from August 8, 1862, to June 11, 1865 (2 years and 10 months), and is now a pensioner under the act of July 14, 1862, at \$20 per month on account of piles and resulting fistula in ano, severe deafness of right ear, and slight deafness of left ear.

Address, Bellefonte, Pa.

Medical examination, February 7, 1912, shows pensioned causes, rheumatism or disease of spinal cord, eczema, heart disease, and enlarged prostate, and rated him \$72.

Dr. M. J. Locke, January 11, 1912, states that soldier is suffering from progressive paralysis, due to thickening of spinal cord, is unfitted for manual labor, and requires a constant attendant.

Dr. Locke and Gen. James A. Beaver testify that he owns a house and lot assessed at \$800, and upon which is a mortgage of \$1,200, and that his only income is his pension of \$20 a month. Soldier occupies above-described house as his home, which he values at \$1,200, and possesses probably \$100 of personal property.

An increase to \$40 is recommended.

H. R. 16634. Robert L. Fuller, aged 66 years, served as a private in Company C, Sixtieth Regiment Illinois Volunteer Infantry, from March 30, 1864, to July 31, 1865 (1 year 4 months and 1 day), and is now a pensioner under the act of February 6, 1907, at \$12 per month.

He was formerly pensioned under the act of June 27, 1890, at \$10 per month by reason of right inguinal hernia, disease of eyes and heart, rheumatism, and injury of right ankle.

Address, Pomona, Ill.

Board of surgeons, June 20, 1906, found hernia and disease of eyes and rheumatism.

Medical testimony is that applicant has complete hernia of the right side and by reason thereof is unable to do manual labor.

Pensioner owns a farm, valued by his neighbors at \$800, and personal property worth about \$470; this property is encumbered to the amount of \$250; his net income from the farm is nothing.

An increase to \$24 is proper.

H. R. 16696. Uzal K. Still, aged 68 years, served as a private and corporal in Company A, One hundred and sixty-eighth Regiment New York Volunteer Infantry, from September 25, 1862, to October 31, 1863, and also served in Company D, Fortieth New York Volunteers, from September 13, 1864, to June 1, 1865—total service, 1 year 9 months and 24 days—and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned at \$8 per month under the act of July 14, 1862, for rheumatism and resulting disease of heart.

Address, Middletown, N. Y.

Board of surgeons, April 20, 1892, found disease of heart.

Medical testimony is that applicant has diabetes mellitus and that his case is incurable, his urine containing 8 per cent of sugar: that he voids three or four quarts of urine in 24 hours and has so lost flesh and strength by reason of said diseases that he is incapacitated for performing manual labor and requires the constant daily attention of another person to aid and assist him.

Other testimony is that applicant has no real estate nor stocks, bonds, mortgages, or money in bank, and no income but his pension.

An increase to \$36 a month is recommended.

H. R. 16718. Helena T. Wood, aged 74 years, is the widow of Hiram Wood, who served as a private in Company F, Second Regiment Provisional Enrolled Missouri Militia, from May 16 to October 17, 1863 (five months).

Soldier never applied for pension. He died April 1, 1891.

He and applicant were married February 14, 1857.

She is now a pensioner at \$12 a month under act of June 27, 1890, as amended.

Three physicians attended her when thrown from a buggy—both arms broken and shoulder badly bruised. This was about two years ago. She is incapacitated from manual labor or dressing herself.

There is ample evidence showing that this widow owns 2 acres of thin, rocky land, with an unfinished box house on it, the whole worth \$150; that she has no other property and her income is her pension of \$12.

She is a "war widow," old and helpless, and an increase to \$20 is justified.

H. R. 16728. William Lay, aged 74 years, served as a private in Company M, Second Regiment Arkansas Volunteer Cavalry, from January 28, 1864, to August 20, 1865 (1 year 6 months and 22 days), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$10 per month by reason of rheumatism and resulting disease of heart and senile debility.

Address, Marshall, Ark.

Board of surgeons, August 16, 1905, found rheumatism, neuralgia, disease of heart, and senile and general debility.

Medical testimony is that applicant is, by reason of cirrhosis of the liver, an invalid and unable to do manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$30 a month is recommended.

H. R. 16865. Willetts Haas, aged 65 years, served as a private in Company A, One hundred and fifty-fourth Regiment Indiana Volunteer Infantry, from March 27, 1865, to June 16, 1865 (2 months and 19 days), and is now a pensioner under the act of July 14, 1862, at \$8 per month on account of disease of lungs.

Address, St. Joseph, Mo.

Board of surgeons, November 2, 1910, found chronic bronchitis and albuminuria.

Medical testimony is that applicant has disease of respiratory organs, which disease has progressed to a point where applicant has become unable to do manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$20 a month is recommended.

H. R. 16897. James B. H. McDaniel, aged 66 years, served as a private in Company G, One hundred and forty-eighth Regiment Illinois Volunteer Infantry, from February 15, 1865, to September 5, 1865 (6 months and 20 days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$10 per month by reason of disease of respiratory organs, rectum, mouth, and eyes, rheumatism, and disease of heart.

Address, Nyhart, Mo.

Board of surgeons, January 2, 1907, found chronic rheumatism, disease of heart, defective vision, disease of rectum, and left hydrocele.

Medical testimony is that applicant has ulcerative trachoma of each eye; is also suffering from scurvy, chronic asthma or bronchial affection; also has eczema and hemorrhoids in and around rectum; has articular rheumatism of the knee and shoulder joints; is unable to do manual labor.

The applicant states that he owns 7 acres of land, valued at \$425, and has personal property of the value of \$150, which personal property is mortgaged for \$135, and that he has no income but his pension.

An increase to \$20 a month is recommended.

H. R. 16925. Stephen R. Estes, aged 67 years, served as a sergeant in Company H, Twenty-ninth Regiment Maine Volunteer Infantry, from August 1, 1863, to April 16, 1866 (2 years 8 months and 15 days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of July 14, 1862, at \$6 per month by reason of injury of right great toe and disease of lungs.

Address, Hallowell, Me.

Board of surgeons, March 16, 1900, found pensioned causes and disease of heart.

Medical testimony is that applicant has chronic interstitial nephritis; has arteriosclerosis and cardiac asthma; is unable to do manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$30 a month is recommended.

H. R. 16959. George Emerick, aged 64 years, served as a private in Company F, First Regiment Pennsylvania Provisional Volunteer Cavalry, from February 26, 1864, to July 13, 1865 (1 year 4 months and 17 days), and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of injury of right ankle and sciatica.

Address, Reynoldsville, Pa.

Board of surgeons, April 29, 1891, found pensioned causes.

Medical testimony is that applicant has heart trouble, has a catarrhal condition of the bladder and enlarged prostate gland; his eyesight and hearing are impaired; his right ankle is ankylosed; he has rheumatism over his whole body; from a fracture his left leg is in a weakened condition and is atrophied; has marked senility; is unable to do manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$30 a month is recommended.

H. R. 16962. Mary E. Smith Barkley, aged 74 years, is the former widow of Madison B. Smith, who served as a private in Company A, First Regiment Massachusetts Volunteer Infantry, from December 7, 1863, to June 25, 1865 (1 year and 6½ months).

Address, Westfield, Mass.

Soldier never applied for pension. He died September 8, 1873. He and applicant were married October 22, 1861. She remarried June 9, 1875, to James Barkley, who died February 17, 1909.

Applicant bore the soldier one son.

She applied for pension under the general law September 14, 1891, which was rejected March 24, 1904, by reason of her inability to furnish evidence to connect death cause with soldier's military service. She also applied under act of April 19, 1908, which was rejected, as she remarried before passage of act.

Applicant and her witnesses testify that she is 74 years old; not strong enough to work; she has no income but State aid of \$4 a month, but has \$500 in bank, which she is using from all the time. She has no property of any other kind.

Since she was soldier's wife during the war, is now old and feeble, and again a widow, precedent allows a rate of \$12 a month.

H. R. 16981. Orrin L. Drake, aged 71 years, served as a private in Company K, Second Regiment Vermont Volunteer Infantry, and in Company E, Fifth Regiment Iowa Volunteer Cavalry, from May 29, 1861, to June 9, 1862, and from January 4, 1865, to July 15, 1865 (1 year and 6 months), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$8 per month by reason of injury of right shoulder and senile debility.

Medical examination of April 29, 1904, showed the pensioned disabilities.

Dr. R. D. Jennings, October 31, 1911, finds an old fracture of right shoulder, chronic and articular rheumatism, disease of kidneys, disease of heart, nervous prostration, and is totally disabled to perform manual labor.

Lay testimony shows that he is not the owner of either real or personal property and has no income save his pension.

An increase to \$30 a month is recommended.

H. R. 16989. Bridget Burns, aged 56 years, is the widow of Edward Burns, who served as a landsman on U. S. S. *Potomac*, United States Navy, from August 11, 1864, to August 9, 1867 (3 years—1 year Civil War).

Sailor never applied for pension. He died November 27, 1881. He and pensioner were married March 28, 1872. She was pensioned from August 13, 1890, at — for herself and \$2 each for two children. She now receives \$12, from April 19, 1908.

Address, 176 Fourteenth Street, Brooklyn, N. Y.

Dr. C. A. Phillips certifies that she is suffering from chronic myocarditis.

Pensioner and two friends testify that she is unable to do any work; that she has no real estate, stocks, bonds, or mortgages, and no income other than her pension.

An increase to \$20 is allowable.

H. R. 16995. Benton W. T. Derryberry, aged 69 years, served as a private in Company G, Second Regiment United States Volunteer Infantry, from October 6, 1864, to November 7, 1865 (1 year and 1 month), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

Soldier was formerly pensioned under act of June 27, 1890, at \$10 for right hydrocele, right inguinal hernia, and senile debility, as shown by medical examination of October 19, 1904.

Address, Adamsville, Tenn.

Dr. J. W. Martin, November 21, 1911, declares pensioner is unable to perform manual labor, due to right inguinal hernia, injury to back of neck, and a hacking cough.

Pensioner and two neighbors testify that he has no real or personal property and no income but his pension.

An increase to \$24 is recommended.

H. R. 17075. Martha Caslett, aged 40 years, is the widow of James Caslett, who served as a private in Company G, Seventy-ninth Regiment Illinois Infantry, from August 14, 1862, to March 10, 1863 (7 months).

Soldier was pensioned under the general law at \$16 a month for right inguinal hernia, complete and complicated.

He and applicant had been married January 26, 1892; hence she has no title under act of April 19, 1908, their marriage being subsequent to June 27, 1890.

No claim for accrued pension has been filed.

Soldier's first wife died November 27, 1890. The soldier died April 4, 1911.

The clerk of the county court certifies that this widow was admitted to the county home March 21, 1908, and has been continuously a resident since.

Other testimony shows she is absolutely helpless and destitute; owns no property whatever. She can not dress or undress herself or comb her hair.

Address, County Farm, Pettis County, Mo.

Following numerous precedents, it is proper to grant her a pension of \$12 a month.

H. R. 17139. Stephen H. Clayton, aged 82 years, served as a private in Company F, Sixth Regiment Tennessee Volunteer Cavalry, from September 21, 1862, to July 26, 1865 (34 months), and is now a pensioner under the act of February 6, 1907, at \$20 per month.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of nearly total deafness of left ear and slight deafness of right ear.

His address, Lawrenceburg, Tenn.

The facts, as shown by the evidence filed, are these: The pensioner is of great age; is totally unfitted for any sort of labor; is now totally deaf in the left ear and severely deaf in the right ear; he has no income and no means of support aside from his pension. The medical and lay evidence filed established these facts.

The last examination by a medical board, on February 7, 1900, at Waynesboro, Tenn., shows soldier to be suffering with neuralgia of neck and head and lungs, inflamed throat and posterior nares.

The advanced age of the soldier, his long and honorable service, his total inability to earn any portion of his maintenance are causes that warrant a liberal rating in this case.

A rating of \$36 per month is recommended.

H. R. 17185. William A. Smith, aged 70 years, served as a corporal in Company K, Sixteenth Regiment Kentucky Infantry, from February 20, 1864, to July 15, 1865 (1 year and 5 months), and is now a pensioner under special act of February 25, 1905, at \$24 per month. Formerly pensioned at \$12, under act of June 27, 1890, for bronchitis, piles, general debility, and impaired sight, shown on medical examination, November 17, 1897, and wholly incapacitated from earning a support by manual labor.

Address, Bristol, Tenn.

Dr. Nat. L. Dulaney, April 11, 1912, says pensioner is practically blind from disease of retina, and is unable to do any work. This is corroborated by Dr. G. M. Peavler, and adds that his disease is incurable.

Other testimony shows that soldier is blind, helpless, and with no means of support other than his pension, and an increase to \$36 is allowed.

H. R. 17261. James H. Kinkead, aged 75 years, served as a private in Company A, Seventy-eighth Regiment Indiana Volunteer Infantry, from July 28, 1862, to September 6, 1862 (one month and eight days), and is now a pensioner under the act of July 14, 1862, at \$17 per month on account of malarial poisoning and resulting disease of rectum.

Address, Winchester, Ind.

Board of surgeons, July 19, 1905, found malarial poisoning and resulting disease of digestive organs, including disease of rectum, fourteen-eighteenths; and hernia, fourteen-eighteenths.

Medical testimony is that applicant has chronic malarial poisoning, with resulting diseased condition of stomach, liver, and spleen; has prolapsus of the rectum. The applicant is totally unable to do manual labor.

The applicant is a poor man. The Member introducing the bill states that he is reliably informed and believes that the applicant has no property from which he derives a sufficient income for his maintenance and support.

An increase to \$24 a month is recommended.

H. R. 17270. Genio S. Lawrence, aged 66 years, served as a musician in Company D, Tenth Regiment Indiana Volunteer Infantry, from April 23, 1861, to August 6, 1861, and from September 18, 1861, to September 19, 1864 (total service, 3 years 3 months and 14 days), and is now a pensioner under the act of July 14, 1862, at \$20 per month on account of gunshot wound of right breast and severe deafness of left ear and slight deafness of right ear, resulting in total deafness of left ear and slight of right ear.

Address, National Military Home, Leavenworth, Kans.

Board of surgeons, June 23, 1908, found pensioned causes.

Medical testimony is that applicant has hypertrophy of the heart, has edema of the feet, has four gunshot wounds, has hernia of the right side, is totally deaf in the left ear and partially so in the right, and is unable to do manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$36 a month is recommended.

H. R. 17277. Mary Rothenburger, aged 43 years, is the helpless and dependent daughter of Jacob Rothenburger, who served as a private in Company E, Thirty-fourth Regiment Wisconsin Infantry, from November 10, 1862, to September 8, 1863 (10 months).

Address, Lomira, Wis.

The parents of this child were married June 12, 1846; the soldier died May 7, 1905; the mother died March 11, 1910.

This child was born April 5, 1869.

Soldier was pensioned under the act of June 27, 1890, at \$12 for eczema. The mother was next pensioned under the same act at \$8. There is now no one pensioned on this service.

Three neighbors testify that applicant has always been incompetent, and ever will be, to make a living by manual, mental, or professional labor.

Dr. P. F. Langenfeld testifies that applicant's left leg is atrophied and that she has been unable to use it since a small infant; this leg is 6 inches shorter than its fellow, and she will never improve.

Two other neighbors swear she is the daughter of the soldier and of his wife Barbara; that she is perfectly helpless, and since the death of her parents has been living on the charity of friends and relatives.

In the light of numerous precedents, an allowance of \$12 a month may be made.

H. R. 17290. Orlando P. Brennesholtz, aged 71 years, served as first lieutenant in Company A and as captain in Company I, One hundred and twenty-eighth Regiment Indiana Volunteer Infantry,

from November 23, 1863, to April 10, 1866 (28½ months), and is now a pensioner under the act of February 6, 1907, at \$15 per month.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of rheumatism, disease of chest and abdominal viscera, and general debility.

His post-office address is San Diego, Cal.

The soldier, being now paralyzed, is unable to perform any labor and has no property, and his pension is his sole means of support.

These facts are clearly shown by medical and lay testimony filed in the case.

The last medical examination of soldier by a board was made on May 6, 1891, at Sleepy Eye, Minn, and showed ratings aggregating \$20 per month for rheumatism, disease of lungs, and disease of liver.

A rating of \$30 per month is recommended.

H. R. 17291. Stewart Wells, aged 73 years, served as a private in Company D, Sixth Regiment West Virginia Volunteer Cavalry, from July 6, 1861, to December 1, 1864, and is now a pensioner under the act of July 14, 1862, at \$24 per month on account of gunshot wound of abdomen and gunshot wound of left foot.

Address: Smithfield, W. Va.

Board of surgeons, January 18, 1911, found that "this claimant is so disabled from gunshot wound of foot and almost total blindness as to require the regular attendance of another person, and is entitled to \$50 per month."

Medical testimony is that applicant, by reason of wounds and cataract of eyes, is totally unable to do manual labor.

Other testimony is that applicant has personal property of the value of \$230, and that his income is his pension.

An increase to \$40 a month is warranted.

H. R. 17345. William H. Cox, aged 72 years, served as a private in Company C, Third Regiment New Jersey Volunteer Infantry, from May 25, 1861, to April 10, 1862 (11½ months).

He is now pensioned under the general law at \$17 for gunshot wound of right arm, with resulting ankylosis of elbow joint.

Address: Florence, N. J.

Medical examination, March 8, 1905, shows wound of right arm and senility.

Dr. J. F. O'Connor, December 11, 1911, describes pensioner suffering from his wound, asthma, and believes he has pulmonary tuberculosis, and that he is incapable from working at his trade of shoe-maker, and does not believe he can earn a living.

Lay testimony shows he has no means of support other than his pension.

An increase to \$30 is recommended.

H. R. 17346. Emma A. Jahne, aged 62 years, is the widow of Wilmer T. Jahne, who served as a private in Company K, Thirteenth Regiment New Jersey Infantry, and unassigned, Thirty-third New Jersey Infantry, from June 22, 1864, to July 17, 1865 (11 months).

Soldier was pensioned under the general law at \$27. He died February 25, 1904. He and applicant were married October 23, 1867. She is now pensioned under act of June 27, 1890, as amended by act of April 19, 1908, at \$12 a month.

Dr. W. Freile has been treating applicant for 12 years; she is suffering from arteriosclerosis and hyperchlorhydria. The physician and neighbors testify she is unable to do any kind of work and has no income except her pension.

It is shown by competent evidence that pensioner has no real or personal property and no income but her pension.

An increase to \$20 is recommended.

H. R. 17404. Marshall D. Watson, aged 68 years, served as a private in Company F, Fifty-seventh Regiment Pennsylvania Volunteer Infantry, and in Battery E, First Rhode Island Volunteer Light Artillery, from December 11, 1861, to June 14, 1865 (3 years and 6 months), and is now a pensioner under the act of June 27, 1890, at \$12 per month.

He was formerly pensioned under the act of July 14, 1862, at \$6 per month.

Soldier's post-office address, Maquoketa, Iowa.

Medical evidence filed in the case shows that soldier is helpless physically, and has been in that condition for several years past. He requires constant aid and attendance of another person, being paralyzed and speechless. He weighs approximately 300 pounds.

Lay testimony shows that soldier has no property and no income other than pension.

Medical board at Clinton, Iowa, on May 24, 1910, reported soldier to be in helpless condition, due to paralysis, and that he had suffered three strokes.

The committee believes that an increase of pension should be granted to this deserving soldier in consideration of his long and honorable service and his present helpless and hopeless condition.

A rating of \$40 per month is recommended.

H. R. 17433. John C. Doss, aged 68 years, served as a private in Companies M and C, Seventh Regiment Tennessee Volunteer Cavalry, from July 6, 1863, to August 9, 1865 (2 years 1 month and 3 days), was a prisoner of war, and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$10 per month by reason of rheumatism, disease of stomach, and nervous prostration.

Was formerly pensioned under the act of July 14, 1862, at \$4 per month for disease of back, result of scurvy.

Address, Bethel Springs, Tenn.

Board of surgeons, June 1, 1904, found rheumatism, disease of the stomach and heart, nervous prostration, and impaired hearing.

Medical testimony is that applicant has chronic lumbago, chronic cystitis, and cramps in his left leg.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$30 a month is recommended.

H. R. 17509. Celia O'Neal Boothby, aged 69 years, is the widow of Charles W. Boothby, who served as a private in Company C, Twelfth Regiment Maine Infantry, from November 20, 1861, to February 5, 1864 (2 years and 2 months).

Address, 529 South Rondar Street. New Orleans, La.

Soldier was pensioned under the general law at \$17 for piles; he died May 14, 1908.

His widow, the applicant, was pensioned under the act of April 19, 1908, at \$12 from May 29, 1908.

She and soldier were married February 11, 1869. Their son, Benjamin C. Boothby, a member of Company B, Second Louisiana Infantry, War with Spain, died at Santiago de Cuba September 10, 1898.

Applicant is old, and her neighbors and the Member say she is in necessitous circumstances, owning no property of any kind, and has buried both her husband and her son, who were soldiers of this Republic.

An increase to \$20 is recommended.

H. R. 17515. Henry K. Reese, aged 68 years, served as a private in Company H, Two hundred and third Regiment Pennsylvania Volunteer Infantry, from August 29, 1864, to June 22, 1865 (9 months and 23 days), and is now a pensioner under the act of July 14, 1862, at \$14 per month on account of chronic diarrhea and resulting piles.

Address, R. F. D. No. 1, Millersville, Pa.

Board of surgeons, March 22, 1911, found chronic diarrhea and results, and rated at \$24 per month.

Medical testimony is that applicant has deafness (disability three-fourths of normal) and is partially blind; it appears that he is unable to do manual labor.

Other testimony is that applicant has no support but his pension.

An increase to \$24 a month is recommended.

H. R. 17526. Eliza Williams, aged 73 years, is the widow of Conrad Williams, who served as a private in Company K, Fifth Regiment New Jersey Infantry, from August 29, 1861, to March 10, 1864 (two years and six months).

Soldier was pensioned under the general law at \$46 for loss of left arm above the elbow; he died February 3, 1905.

His widow, this applicant, was pensioned at \$8 from February 11, 1905, under the act of June 27, 1890, and at \$12 from April 19, 1908. She and soldier were married May 18, 1852.

Address, 99 Atlantic Street, Jersey City, N. J.

Dr. E. S. Bull testifies that for 8 or 10 years past pensioner has suffered from chronic glaucoma; three years ago the left eye was removed and an operation performed on right eye, only partially successful, and the vision of sight reduced to counting the fingers and distinguishing large objects.

Two neighbors testify that pensioner's property is nothing and no income but her pension; that she is almost blind and is helpless; that unless helped will have to enter some institution.

An increase to \$20 is warranted.

H. R. 17557. Fannie E. Brown, aged 60 years, is the widow of Worthington Brown, who served as a private in Company A, Eighty-third Regiment Illinois Infantry, from August 5, 1862, to June 26, 1865 (2 years and 10½ months).

Soldier was pensioned under the act of June 27, 1890, at \$12 a month. Applicant is pensioned under same act at same amount.

Soldier died April 5, 1903; he and this widow were married July 31, 1866.

Residence, Chillicothe, Mo.

Dr. J. E. Callaway, January 1, 1912, testifies that applicant is suffering from general dropsy, affecting her heart. She has a very large ovarian tumor and is compelled to wear an abdominal supporter to be on her feet, but is compelled to be in bed from 3 in the afternoon until 7 in the morning.

Aside from her pension of \$12 a month, she is dependent upon her daughter for support, who works as a stenographer. They live in a rented house.

Other testimony shows that they pay \$4 a month for a three-room house; the applicant has no real property, and only a few household goods.

An increase to \$20 is warranted.

H. R. 17564. John H. Price, aged 66 years, served as a private in Company E, Thirty-third Regiment Indiana Volunteer Infantry, from March 3, 1865, to July 5, 1865 (four months and two days), and is now a pensioner under the act of July 14, 1862, at \$17 per month for chronic diarrhea and resulting dyspepsia and piles.

He was formerly pensioned under the act of February 6, 1907, at \$12 per month by reason of age.

Address, Laketon, Ind.

Board of surgeons, January 25, 1911, found piles, diarrhea, disease of heart, enlarged prostate, disease of kidneys, and muscular rheumatism.

Medical testimony is that applicant has severe diarrhea, so that it is frequently necessary for him, by reason of weakness, to have an attendant; he frequently has attacks of vomiting and straining, causing the piles to protrude from the rectum so that the bowels must be returned by hand after each stool. The applicant has muscular rheumatism (lumbago), and it frequently renders the patient so helpless that he must have an attendant to care for him. The soldier is totally and permanently incapacitated for manual labor.

Other testimony is that applicant's sole support is his pension.

In view of the applicant's great disabilities, as shown by the report of the board of surgeons and other medical evidence, an increase to \$24 a month is recommended, notwithstanding the short service.

H. R. 17698. Israel Loatman, aged about 70 years, served as a private in Company C, Forty-third Regiment United States Colored Infantry, from April 12, 1864, to October 20, 1865 (one year and six months), and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of gunshot wound in right hand and right foot, rheumatism, and varicose veins of right leg, shown by medical examination of June 17, 1911.

Formerly pensioned under the general law at \$2 for gunshot wound of right hand.

Address, 4740 Lackawanna Street, Philadelphia, Pa.

Dr. John Mellor, January 18, 1912, has treated soldier for 15 years for rheumatism, who now has general debility, the same keeping him from following his usual employments.

Neighbors say that age and debility prevents him from earning a living except by a few odd jobs or such light work as he may be able to get; that he no longer has a set employment; no one is legally

bound to support him; that he has no property whatever, is in very poor circumstances, and has to depend upon his pension for support. An increase to \$30 is allowable.

H. R. 17703. Francis C. Field, alias Silas Mansfield, aged 73 years, served as a private in Company F, Second Regiment New York Veteran Volunteer Cavalry, from December 22, 1863, to November 8, 1865 (1 year 10 months and 16 days), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of disease of heart and rectum, chronic diarrhea, rheumatism, and senile debility.

Address, Station 23, Detroit, Mich.

Board of surgeons, June 20, 1906, found rheumatism, disease of heart and stomach, chronic diarrhea, catarrh, and senility.

Medical testimony is that applicant has arteriosclerosis, with bronchitis and asthma, marked emaciation, functional disturbance of the heart, and chronic gastritis.

Three neighbors affirm that soldier's pension of \$15 a month is the entire support of himself and wife; he has no other means of support, and is unable to perform manual labor on account of sickness.

An increase to \$30 is recommended.

H. R. 17715. Herman Boedicker, aged 71 years, served as a corporal in Company A, One hundred and third Regiment New York Volunteer Infantry, from September 7, 1862, to March 14, 1865 (2 years 6 months and 7 days), and is now a pensioner under the act of July 14, 1862, at \$17 per month on account of disease of eyes.

Address, Skidmore Lane, in Ninety-sixth Street, Canarsie, Brooklyn, N. Y.

Board of surgeons, May 8, 1911, found pensioned cause.

Medical testimony is that applicant is totally blind in right eye; can see but little with left eye; claimant needs the attendance of another person when he leaves his house.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$36 a month is recommended.

H. R. 17765. William L. Whetstone, aged 68 years, served as a private in Company K, Sixty-third Regiment Ohio Volunteer Infantry, from February 1, 1864, to July 8, 1865 (1 year 5 months and 7 days), and is now a pensioner under the act of June 27, 1890, at \$12 per month for left varicocele, double hydrocele, right hemiplegia, and senile debility.

He was formerly pensioned under the act of July 14, 1862, at \$8 per month by reason of varicocele of left side and hydrocele of both sides.

Address, Bryant, Ind.

Board of surgeons, January 2, 1907, found pensioned disabilities.

Medical testimony is that applicant has had a stroke of paralysis, from which he is practically helpless; he can not help himself with cane or crutches; has to be lifted from his chair to the bed; can not dress himself without help; has no control of defecation and only partial control of urination; for six (6) years he has been as helpless as a child.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$50 a month is recommended.

H. R. 17852. Annie White, aged 65 years, is the widow of William A. White, who served as a private in Company C, Seventh Regiment Kentucky Cavalry, from June 25, 1862, to October 13, 1863 (1 year and 4 months).

Soldier was pensioned under act of June 27, 1890, at \$8. He died March 13, 1903. He and applicant were married October 16, 1891. The accrued pension was paid to this widow. Her claim under the general law was rejected because soldier's death from la grippe had no connection with his military service; and her claim under act of April 19, 1908, because she married soldier subsequent to June 27, 1890.

Address, Lexington, Ky.

Dr. Porter Prather testifies that years ago she incurred a broken and dislocated ankle, which badly deforms the leg and makes it hard to walk, which disability and a very nervous condition totally disables her for the performance of housework.

Lay testimony shows she has no property and no means of support, but lives with her children—first with one, then with another—and as they are poor she is a burden.

Following precedents of a like character, a pension of \$12 a month may be allowed.

H. R. 17943. Jacob L. Kennamer, aged 75 years, served as a sergeant in Capt. John B. Kennamer's company, Alabama Scouts and Guides, from July 1, 1864, to May 17, 1865 (10½ months), and is not now a pensioner under any act.

Address, Woodville, Ala.

This company was organized and employed in the United States service as scouts and guides under the orders of Brig. Gen. Granger, commanding the Department of Northern Alabama, etc. The organization was never mustered into the military service of the United States, and hence the members of the organization have no title to pension. Congress, however, by act of March 3, 1869, provided for the pay of the members of the organization and recognized them as a part of the military forces of the United States during the Civil War.

The claimant, according to the proof filed with your committee, is 73 years of age, and is suffering from such bodily infirmities as to totally incapacitate him for labor.

The proof further shows that his only income is from a small farm in Martin County, Ala.

There are many precedents for pensioning the members of the organization named, and in the opinion of your committee like relief is warranted in this case. A pension of \$12 per month is therefore recommended.

H. R. 17981. C. M. Hildabrand, aged 66 years, served as a private in Company M, Seventeenth Regiment Kentucky Volunteer Cavalry, from April 4, 1865, to September 20, 1865 (5 months and 16 days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of July 14, 1862, at \$8 per month by reason of injury of right hip.

Address, Lewisburg, Ky.

Board of surgeons, July 19, 1905, found rheumatism and disease of heart.

Medical testimony is that applicant has chronic rheumatism and is unable to do manual labor.

Other testimony is that applicant has no real property, and his personal property consists of two horses, two cows, two or three plows, and an old wagon; he has no income but his pension.

An increase to \$20 a month is recommended. Short service.

H. R. 17993. James Sandusky, aged 69 years, served as a private in Company B, First Regiment Kentucky Volunteer Cavalry, from July 27, 1861, to December 31, 1864 (3 years 5 months and 4 days), and is now a pensioner under the act of June 27, 1890, at \$12 per month for injury of left leg, loss of sight of left eye, and disease of lungs.

He was formerly pensioned under the act of July 14, 1862, at \$2 per month by reason of gunshot wound of left leg.

Address, Edmonton, Ky.

Board of surgeons, April 15, 1891, found gunshot wound, injury of foot, loss of eye, and disease of lungs.

Medical testimony is that applicant has suffered complete loss of sight of left eye; he has asthmatic trouble; has trouble from an old injury to left leg; is unable to do manual labor.

Two neighbors testify that he has no real estate whatever and about \$50 in personal property, and his income is his pension of \$12 a month.

An increase to \$30 a month is recommended.

H. R. 18071. Mary Florence King, aged 54 years, is the helpless and dependent child of Granville C. King, who served as a private in Company H, One hundred and twenty-fifth Regiment Illinois Infantry, from August 8, 1862, to June 9, 1865 (2 years 10 months). Soldier was pensioned under the general law at \$24 for disease of heart; his widow, the mother of applicant, was pensioned under act of June 27, 1890, at \$8, and at \$12 from April 19, 1908. She died January 26, 1912.

Applicant's parents were married January 26, 1854; she was born June 12, 1858.

When she was between 6 and 7 years old she had an attack of spinal meningitis, which caused her to become totally blind, and she has been so ever since.

Address, Calhoun, Mo.

Dr. J. D. Musick finds applicant totally blind, and from the appearance of her eyes she has been so since infancy.

Relatives testify that applicant has no property save 20 acres of rocky, hilly land, worth not to exceed \$8 to \$10 an acre: rental value for pasture, \$5 a year. This is the only income she has, and she has no one to support her.

Following precedents, an allowance of \$12 a month is proper.

H. R. 18111. George B. Kiehl, aged 74 years, served as a second lieutenant in Company K, One hundred and seventy-second Regiment

Pennsylvania Drafted Militia Infantry, from October 22, 1862, to August 1, 1863 (9 months 9 days), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of rheumatism, disease of heart, diarrhea, disease of rectum, and senile debility.

Address, Ashland, Pa.

Board of surgeons, January 3, 1906, found rheumatism, heart disease, chronic diarrhea, disease of rectum, and debility.

Medical testimony is that applicant has chronic articular rheumatism, chronic nephritis, and hemorrhoids; is unable to do manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$24 a month is recommended. Short service.

H. R. 18114. Florence L. Latrace, aged 54 years, is the widow of Isaac Latrace, who served as a private, unassigned, Fourteenth New York Heavy Artillery, and in Companies M and C, Sixth Regiment New York Heavy Artillery, from December 19, 1863, to December 1, 1864 (11½ months). Soldier was pensioned under the general law for gunshot wound of right hip at \$17 a month. This widow was denied pension under the general law on the ground that soldier's death from pulmonary tuberculosis was not due to gunshot wound of right hip, for which pensioned. He died November 11, 1906. She was also denied pension under act of June 27, 1890, because her marriage to soldier, March 2, 1893, was subsequent to the passage of said act. However, the accrued pension due at the soldier's death was paid this widow, and her child by the soldier was pensioned until he became 16.

No one is now pensioned on this service.

Applicant's address, Brasher Falls, N. Y.

Dr. W. C. Smith testifies that applicant is broken in health and not physically able to earn her living.

Applicant has a half interest in a house and 10 acres of land, which produces only enough to pay taxes; it is shown the value of this place is \$1,000; she has no income.

Precedent allows a rate of \$12 a month.

H. R. 18154. Sanford D. Ramey, aged 71 years, served as a corporal in Independent Battery C, Pennsylvania Volunteer Light Artillery, from March 25, 1864, to June 30, 1865 (1 year 3 months and 6 days), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$8 per month by reason of nasopharyngeal catarrh, disease of stomach, and senile debility.

Address, 830 South Clinton Street, Trenton, N. J.

Board of surgeons, September 14, 1904, found nasopharyngeal catarrh, indigestion, deafness, weak heart, and nervous debility.

Medical evidence is that applicant is by reason of the results of a cerebral hemorrhage unable to do manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$30 a month is recommended.

H. R. 18265. David Slonaker, aged 73 years, served as a private in Company G, Twenty-eighth Regiment Pennsylvania Volunteer Infantry, from June 21, 1861, to July 20, 1864 (3 years and 29 days), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of rheumatism and disease of heart and stomach. Address, Mount Pleasant, Pa.

Board of surgeons, October 22, 1891, found pensioned causes.

Medical testimony is that applicant has had an attack of cerebral hemorrhage; he is unable to do manual labor.

Other testimony is that the applicant has no property and no income but his pension.

An increase to \$30 a month is recommended.

H. R. 18403. Ellen Smith, aged 75, is the widow of Alexander F. Smith, who served as a private in Company A, Third Regiment Iowa Infantry Volunteers, from June 8, 1861, to July 21, 1864, when killed in action. She is now a pensioner under the act of July 14, 1862, at \$12.

She was first pensioned at \$8 a month from the date of soldier's death, July 21, 1864, and \$2 each for three children from July 25, 1866, until they severally became 16; she now receives \$12, act of April 19, 1908.

Pensioner and soldier were married April 16, 1853.

We have testimony on file to show that ever since the soldier's death the widow has been unable to support herself; that her mind was affected and enfeebled; her children were reared to the age of majority by the charity of friends. But one of the children survives, a widow 52 years old, having the care of pensioner, who requires all of her time, as the latter is helpless.

The Member introducing the bill certifies that she has no property whatever and is unable to do anything for herself.

An increase to \$20 is certainly deserved.

H. R. 18440. Milton Trout, aged 66 years, served as a private in Company D, Forty-seventh Regiment Pennsylvania Emergency Military Infantry, from June 27, 1863, to August 13, 1863 (1 month 16 days), and is now a pensioner under the act of July 14, 1862, at \$17 per month on account of varicose veins of right leg.

Address, Canton, Pa.

Board of surgeons, December 14, 1910, found pensioned cause.

Medical testimony is that applicant, as the result of apoplexy, is obliged to use a crutch to walk; can not put on his coat or lace his shoes; is unable to do manual labor.

The Member introducing the bill states that the applicant's wife is in the poorhouse, because both the wife and applicant can not live on his pension.

An increase to \$24 a month is recommended.

H. R. 18445. Benjamin Coe, aged 64 years, served as a private, unassigned, Eightieth Regiment Ohio Infantry, from February 26, 1864, to May 21, 1864 (86 days), and is not now a pensioner under any act.

Address, Coshocton, Ohio.

Soldier's claim for pension, under act of June 27, 1890, was rejected—insufficient service.

Dr. Jesse McClain, April 25, 1912, states that applicant suffers from right inguinal hernia, which can not be retained by a truss, and makes manual labor almost impossible.

The county auditor certifies that there is no property, real or personal, assessed to soldier or his wife.

Neighbors say that his earning power is so small that he and his wife are in a deplorable condition.

A late report from the War Department shows that applicant enlisted to fill a vacant position as musician in the regiment; also that he was discharged because too young to perform the duties of a soldier, by reason of insufficient physical development; the examining board were of the opinion that he was not more than 14 years old.

An allowance of \$12 a month is thought proper.

H. R. 19571. W. Walter Branyan, aged 41 years, is the helpless and dependent child of Robert H. Branyan, who served as a private in Company B, Thirteenth Regiment Pennsylvania Reserve Volunteer Infantry, from May 27, 1861, to June 11, 1864 (3 years). Soldier was pensioned at \$6 under the general law for gunshot wound of right hand; he died April 4, 1884. His widow, mother of this applicant, was pensioned with four of their children; she died December 10, 1907.

She and the soldier were married April 3, 1859; and this applicant, their son, was born September 24, 1871; he was pensioned with his mother.

There is no one now drawing pension on this service.

Dr. B. F. Beale testifies that applicant can not earn a living, either by manual or mental labor; the former is negative by reason of paralysis of his left leg and curvature of the spine; the latter on account of weak eyes.

Other testimony shows that since early childhood applicant has been a cripple, before 10 or 12 years of age; that the extent of his resources is a sixth interest in a property valued at \$1,800 (or \$300).

An allowance of \$12 a month is proper.

H. R. 18708. Ellen E. Beck, aged 62 years, is the widow of Charles W. Beck, who served as a sergeant in Company C, Fifth Regiment Kansas Cavalry, from August 12, 1861, to March 9, 1862 (six and one-half months).

Soldier was pensioned under act of February 6, 1907, at \$20; prior thereto, under the acts of June 27, 1890, and July 14, 1862, the latter act for rheumatism (lumbago), at \$2.

Soldier died June 29, 1910; he and applicant were married November 24, 1892. The date of marriage was the cause of the rejection of her claims under the act of April 19, 1908. Her claim under the general law was rejected on the ground that soldier's fatal disease of heart can not be accepted as the result of lumbago, for which he was pensioned.

Applicant had been previously married (September 29, 1868) to James H. D. Ervinston, who died May 10, 1879, and was pensioned as his widow until her marriage to Charles W. Beck.

Applicant has been paid the pension which accrued at date of Charles W. Beck's death.

Address, Decatur, Iowa.

Medical testimony shows that applicant is in very delicate health, and confined to her bed much of the time.

There is much testimony to show that applicant has been in poor health for years, has been unable to work, possesses no real estate, and no personal property other than household goods valued at \$250 to \$300.

Applicant having been the lawful wife of two soldiers, and now in such poor health as to be unable to work, and is without real property or any means of support, a pension of \$12 a month may be granted.

H. R. 18746. John Henderson, aged 42 years, is the helpless child of Justus Henderson, who served as a private in Company D, Twenty-fourth Regiment Iowa Infantry, from August 19, 1862, to July 17, 1865 (2 years and 11 months).

Soldier was pensioned under the act of June 27, 1890, at \$12.

He died April 13, 1899. His widow, the mother of this helpless and dependent child, was pensioned under the same act from May 11, 1899, to January 29, 1912, when she died.

Soldier and his wife were married March 8, 1868. This child was born to them February 28, 1870.

Address, Severy, Kans.

Neighbors depose and say that from his birth John Henderson was and is of unsound mind and unable to care for himself, and his mind never developed. His parents died, leaving no property of any kind whatever. His sister supports him as she is able, but can earn but little.

As no one is now pensioned on above service, as the applicant (by guardian) is mentally incompetent, and as he and his sister, who cares for him, are poor and destitute, precedent allows a rate of \$12 a month.

H. R. 18804. John H. Adelmeyer, aged 74 years, served as a corporal in Company E, Third Regiment Wisconsin Volunteer Infantry, from April 22, 1861, to October 23, 1862, and as a farrier in Troop C, Sixth Regiment United States Cavalry, from October 24, 1862, to April 23, 1864 (3 years), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of rheumatism and disease of eyes.

Address, Sierra Madre, Cal.

Board of surgeons, August 19, 1891, found pensioned causes and partial deafness.

Medical testimony is that the applicant has paralysis of the lower limbs; is unable to do manual labor.

Other testimony is that applicant has a life estate in a house and lot, has no personal property and no income but his pension.

An increase to \$30 a month is recommended.

H. R. 18812. William Yates, aged 70 years, served as a private in Company E, Twenty-third Regiment Kentucky Infantry, from October 21, 1861, to January 6, 1865 (3 years and 2 months), and is now

a pensioner under the act of July 14, 1862, at \$17 per month on account of gunshot wound of left shoulder and chest, disease of feet, slight deafness of left ear, and disease of eyes, all shown by medical examination of November 8, 1911, and the board of surgeons adds: "The soldier is so disabled as to be totally incapacitated for manual labor," and rated him at \$30.

Dr. S. Punkhiser says that his disease of eyes and deformed feet disable him altogether for manual labor, and that his only means of support is his pension. This is corroborated by Dr. W. J. Hughes.

Lay testimony shows that at times he needs a nurse, and has no property and no income except his pension.

An increase to \$36 is recommended.

H. R. 18883. Armstrong Staley, aged 68 years, served as a private in Company A, One hundred and thirty-fourth Regiment Ohio National Guard Infantry, from May 2, 1864, to August 31, 1864 (4 months), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age. Formerly pensioned under act of June 27, 1890, at \$10 for rheumatism.

Address, Sidney, Ohio.

Medical examination, September 21, 1904, shows loss of vision of right eye and has the appearance of a man in fair health.

Dr. W. F. Hussey, February 20, 1912, has known soldier for 30 years and he says that soldier looks older than he is, vision impaired, blood vessels hardened, and is wholly incapacitated to do manual labor or clerical work.

Pensioner and his witnesses state that he owns no real estate; his wife owns the home—an acre of ground and a four-room house—worth \$600; mortgaged for \$376; soldier owns two horses, wagon, harness, and carriage, worth \$300; mortgaged for \$60; that he has no income other than his pension; that his eyesight has become so bad it is of very little use to him.

An increase to \$20 is recommended.

H. R. 18885. Silas McGregor, aged 73 years, served as a private in Company K, Third Regiment West Virginia Infantry, from July 4, 1861, to August 16, 1864 (3 years and 1 month), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

Formerly pensioned under general law at \$6 for disease of feet, result of frostbite.

Address, Highland, W. Va.

Medical examination, October 16, 1911, finds disease of feet, heart, and kidney, which incapacitate him for manual labor, and he is rated \$30; he is unable to leave home.

Lay testimony shows that pensioner is a superannuated minister of the gospel; that he has no real estate; that his personal property is assessed at \$25; and that his only support and income is his pension of \$15 a month.

An increase to \$30 a month is recommended.

H. R. 19000. William W. Hughes, aged 72 years, served as a private in Company E, Tenth Regiment Kentucky Volunteer Cavalry, from August 11, 1862, to September 17, 1863 (1 year 1 month and 6 days)

and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of rheumatism, disease of heart, feet, and rectum.

Address, Ripley, Ohio.

Board of surgeons, June 20, 1894, found pensioned causes.

Medical testimony is that applicant has to have more or less constant aid, as his physical condition is such that he can not properly care for himself.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$30 a month is recommended.

H. R. 19013. August H. Merchant, aged 73 years, served as a seaman on U. S. S. *Paul Jones*, *John Adams*, and *Princeton*, from May 12, 1860, to June 20, 1862, and from June 27, 1862, to May 8, 1865 (three years Civil War service), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of bronchitis and senile debility.

Address, Snyder, Okla.

Medical examination, August 16, 1905, shows the pensioned causes.

Dr. H. Mootz, January 20, 1912, has attended soldier for sciatic rheumatism and heart affection and says he is absolutely disqualified for manual labor.

Soldier is 73 and his wife is 69 years of age, both under care of the physician, and no income but his pension.

Neighbors say this aged couple is so enfeebled as to be unable to earn a support.

Neighbors testify that he has no real or personal property except a small house in which he lives. His only means of support for himself and wife is his pension.

A long service, now old, feeble, and destitute, warrants an increase to \$30 a month.

H. R. 19047. Allison Clark, aged 70 years, served as a sergeant and second lieutenant in Company H, Seventeenth Regiment Indiana Volunteer Infantry, from May 8, 1861, to December 31, 1862 (1 year 7 months and 23 days), and is now a pensioner under the act of July 14, 1862, at \$24 per month on account of chronic diarrhea and resulting disease of heart and rectum.

Address, Creal Springs, Ill.

Board of surgeons, December 20, 1910, found chronic diarrhea and results and disease of heart, and rated him at \$30 per month.

Medical testimony is that applicant has chronic proctitis, rheumatism, and cardiac insufficiency, with regurgitation; is totally unable to do manual labor.

Other testimony is that applicant has property assessed at \$625 and cash \$134.15, and owes \$70. It appears that his income is his pension.

An increase to \$36 is allowable.

H. R. 19048. Kate G. Andrews, aged 61 years, is the widow of Hugh Andrews, who served as a captain in Company D, One hundred and ninth Regiment Illinois Infantry, from August 15, 1862, to April 10, 1863 (8 months).

Soldier was pensioned under the general law at \$20 for rheumatism. He died June 12, 1895, and his widow applied under same law, but her claim was rejected on the ground that soldier's fatal meningitis was not due to rheumatism, for which pensioned, nor shown to be otherwise due to his military service.

However, she and her three children were pensioned under the act of June 27, 1890, until they became, respectively, 16 years of age, which age was attained by the youngest on June 6, 1905. The widow is now receiving \$12 a month under act of April 19, 1908. Applicant and soldier were married October 8, 1867, neither having been previously married.

Two affiants declare that applicant has no real estate, but has \$1,100 at interest, which is her only income except her pension of \$12 a month.

An increase to \$20 is allowable.

H. R. 19058. Sallie F. Wilson, aged 56 years, is the helpless child of Miles Wilson, who served as a captain in Company B, One hundred and thirty-fourth Regiment Ohio National Guard Infantry, from May 4, 1864, to August 31, 1864 (4 months).

Soldier was pensioned under the general law at \$24. He died May 16, 1910; his wife, the mother of this child, died February 7, 1888. The applicant was born June 7, 1856. Her father and mother were married May 23, 1852.

No one is now pensioned on above service. Soldier left no widow or minor child when he died.

The evidence, both medical and lay, shows that applicant has bone disease of feet and limbs, is helpless, and has no income or means of support. From her babyhood she was a poor, puny, scrofulous child. When 6 years old she fell from the bureau and injured her spine and still suffers therefrom. Her father always supported her, as she has never been able to do anything for herself. She has no property or means of support.

Following precedent, a pension of \$12 a month may be allowed.

H. R. 19079. Thaddeus W. Wolfe, aged 69 years, served as a private and sergeant in Company C, First Battalion Fourteenth Regiment United States Infantry, from April 10, 1862, to April 10, 1865 (three years), and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of injury to left ankle, left inguinal hernia, enlarged prostate, disease of heart, and senile debility.

Address, Canton, Pa.

Board of surgeons, June 21, 1905, found pensioned causes.

Medical testimony is that applicant has chronic organic disease of the heart, left inguinal hernia, and enlargement of the prostate gland, necessitating the continuous use of a catheter. Is unable to do manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$30 a month is recommended.

H. R. 19136. Daniel S. Tuthill, aged 72 years, served as a private in Company L, Nineteenth Regiment New York State Militia, from May 26, 1862, to September 6, 1862 (3 months and 10 days), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$10 per month by reason of left varicocele and senile debility.

Address, 108 Washington Terrace, Newburgh, N. Y.

Board of surgeons, February 15, 1905, found pensioned causes.

Medical testimony shows that the applicant suffers from organic heart disease, an enlarged, dilated, flabby-walled heart, with valvular insufficiency, and on account of this he is, upon the slightest exertion, often obliged to seek medical aid, and his life is frequently in jeopardy. It is further shown that applicant is not only incapacitated for manual labor, but that he requires the periodical attendance of another person in dressing and undressing and in performing other offices for his personal needs.

He is a blacksmith and his only property is the tools of his trade, from which, on account of his condition, he can obtain no net income. His income therefore is limited to his pension.

An increase to \$30 is recommended.

H. R. 19163. John B. McElhinny, aged 67 years, served as a commissary sergeant in One hundred and fortieth Regiment Ohio National Guard Infantry from May 2 to September 3, 1864 (four months one day), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$8 per month by reason of rheumatism and general debility.

Application under general law rejected March 1, 1906.

Address, Central City, Ky.

Board of surgeons, January 18, 1899, found chronic diarrhea, rheumatism, and general debility.

Medical testimony is that applicant is anemic, has neuralgia, has catarrh of the stomach and intestines; dyspnea is a marked feature, and there is considerable cyanosis. He has mitral valve lesions. His liver is enlarged. He has scanty urination. He has chronic rheumatism. He has considerable muscular atrophy in arms, back, and limbs, and the valve lesions are a direct result of the rheumatism. He is unable to perform manual labor.

The applicant states that he has no property whatsoever, which statement is corroborated by two neighbors, who also say that he lives in a rented house, has a delicate wife to support, and other than his pension has only his daily wage or salary.

An increase to \$24 is recommended.

H. R. 19194. Anna D. Strock, aged 36 years, is the helpless and dependent child of David Strock, who served as a sergeant in Company A, Eighth Regiment Ohio Volunteer Cavalry, from August 31, 1861, to April 8, 1865 (three years seven months).

Soldier was pensioned at \$12 under the general law for gunshot wound of left shoulder. He died January 27, 1908. The mother of applicant died December 25, 1894.

This child applied for pension under act of June 27, 1890, but was rejected July 13, 1909, on the ground that her name had never been on the pension roll and she was over 16 years old at date of soldier's death.

Dr. B. F. Baker testifies that he has known applicant her entire lifetime; that she has been helpless from paralysis of lower limbs ever since she was 3 years old.

Friends testify that applicant has no other means of support than an income of \$35 a year from a property.

Address, 254 South Plum Street, Springfield, Ohio.

Her parents were married February 9, 1871, and she was born February 16, 1875.

It appears that applicant inherited a third interest in property which yields a net annual income of \$35 and \$8—\$43.

Twelve dollars a month is allowed.

H. R. 19197. Michael Fitzgerald, aged 63 years, served as a drummer in Company E, Second Regiment New York Heavy Artillery, from January 24, 1863, to September 29, 1865 (2 years 8 months), and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of bronchitis and disease of left leg.

Address, 27 Bridge Street, New York, N. Y.

Medical examination March 6, 1895, found no ratable disability other than obesity.

Dr. P. E. Bush, March 4, 1912, swears that pensioner is a great sufferer from bronchial asthma, with an irregular heart, and that he is not able to perform any work in his feeble condition.

The lay testimony shows that he is unfit to do manual labor, that he owns no stocks, bonds, or real estate, and has no income from any source, nor has he any personal property.

An increase to \$30 is recommended.

H. R. 19262. Charles H. Koontz, aged 67 years, served as a private in Company F, Second Regiment Ohio Volunteer Heavy Artillery, from August 29, 1863, to August 23, 1865 (2 years less 6 days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of July 14, 1862, at \$10 per month by reason of injury to left ankle.

Address, 2008 Seventh Avenue, Huntington, W. Va.

Board of surgeons December 5, 1906, found pensioned cause.

Medical testimony is that applicant suffers from pensioned cause—swelling of foot, atrophy of left leg from ankle to body.

He is unable to do manual labor.

Neighbors testify that he possesses no real estate or personal property, except a few household goods, and has no income but his pension.

An increase to \$30 is recommended.

H. R. 19265. George W. Salter, aged 66 years, served as a private in Company D, Third Regiment Iowa Cavalry, from February 22, 1864, to August 9, 1865 (1 year 6 months), and is now a pensioner under the act of June 27, 1890, at \$12 per month for rheumatism, piles, and loss of right eye, as shown by medical examination of April 1, 1891.

Address, Burwell, Nebr.

Dr. E. D. Thurston, November 3, 1911, states that soldier has valvular disease of heart, rheumatism, and chronic diarrhea, and is disabled for manual labor of any kind.

Neighbors say he is unable to perform manual labor sufficient to maintain himself and wife; that he has no property and no income of any kind.

An increase to \$24 is proper.

H. R. 19311. Scott Wright, aged 65 years, served as a private in Company I, Seventy-fourth Regiment Indiana Infantry, from February 25, 1864, to July 24, 1865 (1 year 5 months), and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of asthma, disease of heart and kidneys.

Address, State Soldiers' Home, St. James, Mo.

Medical examination, February 5, 1908, shows pensioned causes and injury of head.

The surgeon of the home, under date of January 13, 1912, has for six months been suffering from abdominal acities, right inguinal hernia, and is absolutely disqualified for manual labor.

Lay testimony shows claimant to be very poor, has no property and no income but his pension.

An increase to \$30 is recommended.

H. R. 19358. Lewis Gross, aged 65 years, served as a private in Company E, Sixteenth Regiment United States Colored Volunteer Infantry, from September 14, 1864, to September 14, 1865 (1 year), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$10 per month by reason of injury of right wrist, rheumatism, disease of heart and rectum, nasopharyngeal catarrh, disease of stomach, and general debility.

Address, Mecosta, Mich.

Board of surgeons, March 15, 1905, found injury to right wrist, rheumatism, disease of heart, catarrh, disease of stomach, and chronic diarrhea.

Medical testimony is that applicant has chronic articular rheumatism and arteriosclerosis, with its myocardial changes; is unable to do manual labor.

Other testimony is that applicant has a home worth \$150.

An increase to \$30 a month is recommended.

H. R. 19360. Marshall Preston, aged 65 years, served as a private in Second Independent Battery, Ohio Volunteer Light Artillery, from October 1, 1864, to August 10, 1865 (10 months 9 days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$10 per month by reason of general debility and chronic diarrhea.

Address, 721 Court Street, Scranton, Pa.

Board of surgeons, January 18, 1905, found pensioned causes.

Medical testimony is that applicant has cystitis, loss of control of bowels, locomotor ataxia, intestinal indigestion, and general debility; is unable to do manual labor.

Other testimony is that applicant has no means of support but his pension.

An increase to \$24 a month is allowable.

H. R. 19392. George F. Russell, aged 79 years, served as a sergeant in Company G, First Regiment Rhode Island Volunteer Light Artillery, from December 3, 1861, to June 24, 1865 (3 years 6 months 21 days), and is now a pensioner under the act of February 6, 1907, at \$20 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of injury to left hand, nasal catarrh, rheumatism, disease of heart, and senile debility.

Address, 723 Water Street, Fitchburg, Mass.

Board of surgeons, January 20, 1904, found disease of heart, rheumatism, injury to left hand, and catarrh.

Medical testimony is that applicant has valvular disease of the heart; is totally unable to do manual labor; is confined to his bed.

From the testimony it appears that the applicant has no support aside from his pension.

An increase to \$30 a month is recommended.

H. R. 19490. Cornelius W. Roberts, aged 72 years, served as a private in Company B, Pike County Regiment Missouri Home Guards, from June 17, 1861. to September 2, 1861 (77 days), and is now a pensioner under special act at \$12 per month.

Address, Bowling Green, Mo.

Board of surgeons, January 19, 1898, found disease of heart, injury to shoulder, and indigestion.

Medical testimony is that applicant, while discharging a gun, received a severe injury to the right shoulder; it appears that he is unable to do manual labor.

Other testimony is that applicant has no income of any description.

An increase to \$24 a month is recommended.

H. R. 19513. Erminia Thayer Carpenter, aged 67 years, is the former widow of Morgan J. Thayer, who served as a sergeant in Company A, Fourth Regiment Michigan Cavalry, from August 28, 1862, to June 3, 1865 (2 years 9 months). He died May 25, 1866.

He and applicant were married November 10, 1865, and she was pensioned as his widow from May 25, 1866, at \$8 to the date of her remarriage, January 13, 1869, to Truman Carpenter. Said Carpenter died November 28, 1905.

Dr. Fred O. Pryor, May 7, 1912, testifies that owing to her age and disability she is not able to do hard manual labor. He has treated her for cystocele and rectocele.

Lay testimony shows that she has not remarried since the death of Carpenter; that she is absolutely dependent upon her children for maintenance, and has no real estate or property; she has no source of income.

Address, Santa Rosa, Cal.

Old, helpless, and destitute, again a widow, a pension of \$12 a month may be allowed.

H. R. 19600. Perley Evans, aged 78 years, served as a private in Company H, Tenth Regiment, and Company G, Sixth Regiment, New York Volunteer Heavy Artillery, from December 22, 1863, to August 24, 1865 (1 year 8 months and 2 days), and is now a pensioner under the act of February 6, 1907, at \$20 per month on account of age.

He was formerly pensioned under the act of July 14, 1862, at \$14 per month by reason of fracture of left leg and chronic diarrhea.

Address, Midland, Mich.

Board of surgeons, December 18, 1907, found disease of heart, fracture of left leg, chronic diarrhea, and right inguinal hernia.

Medical testimony is that applicant, by reason of age and impaired vision, is unable to do manual labor.

Other testimony is that applicant is very poor, with no income but his pension.

An increase to \$36 a month is recommended.

H. R. 19631. Cornelius McCafferty, aged 73 years, served as a private in Company D, Second Regiment Illinois Volunteer Light Artillery, from September 27, 1861, to March 15, 1862 (5 months and 18 days). Discharged on surgeon's certificate of disability, and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of varicose veins and disease of heart and lungs and general debility.

Application under general law rejected.

Address, 1308 Linden Avenue, Canton, Ohio.

Board of surgeons, March 4, 1900, found varicose veins, disease of heart and lungs.

Medical testimony is that applicant has bronchial asthma and rheumatism, which disable him from manual labor.

Applicant states that he has no property, real or personal, except his household goods, and no income but his pension. Two neighbors, February 28, 1912, testify that neither soldier nor his wife own any property, but live in a rented house; that he is too old and feeble to work, and has no income but his pension.

Age, inability to do manual labor, and poverty justify an increase to \$20; a higher rate is not warranted, owing to short service.

H. R. 19648. Mary A. Sanborn, aged 77 years, is the former widow of Albin N. Nash, who served as a private in Company F, Fifty-second Regiment Massachusetts Infantry, from September 11, 1862, to August 14, 1863 (11 months).

Soldier was pensioned under the general law at \$24; he died March 16, 1880. This applicant, then his widow, was pensioned under the same law until June 5, 1885, the date of her remarriage. She and soldier had been married on February 20, 1851. She and her second husband, Albin C. Nash, were divorced January 5, 1894. She then, on January 11, 1896, married one Joseph Sanborn, who died November 24, 1900.

Applicant applied for pension April 27, 1901, under act of March 3, 1901, which was rejected on the ground that the divorce from her second husband was obtained on his application and not upon hers, as provided in the provisions of said act.

Dr. G. A. Weaver says that applicant is in her seventy-ninth year, and that, owing to her age and poor health, she has not been able to do all of her housework this winter. He and others declare she has no real estate, and probably her household furnishings are worth \$100.

A renewal of her pension at \$12 is allowable.

H. R. 16949. John R. Parmley, aged 67 years, served as a private in Company K, Fifteenth Regiment Missouri Volunteer Cavalry, from November 1, 1863, to July 1, 1865 (1 year and 8 months), and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of rheumatism, disease of heart, catarrh, and general debility.

Address, Butterfield, Mo.

Board of surgeons, February 7, 1907, found pensioned causes and bronchitis.

Medical testimony is that applicant has rheumatic arthritis and consequent deposits. His right arm has almost complete ankylosis of the elbow joint. At other parts of the body he has arthritis deformans; is wholly unable to do manual labor.

Other testimony is that applicant has a small house and two lots, valued at about \$400, on which there is a mortgage; his income is his pension.

An increase to \$30 a month is recommended.

H. R. 19650. James A. Miller, about 64 years of age, served as a private in Company F, Fourth Tennessee Cavalry, from April 4, 1864, to June 12, 1865 (1 year and 2 months), and was a prisoner of war from August 5, 1864, confined at Andersonville, etc., to April 28, 1865 (8 months), when paroled.

Address, Mount Vernon, Mo.

He is now a pensioner under the act of June 27, 1890, at \$12, on account of scurvy, rheumatism, and a gunshot wound of the right foot.

He was originally pensioned under the general law at \$2 on account of disease of the gums and general debility from scurvy, but pension was made to terminate September 20, 1882, the disability having ceased to exist.

He sought pension on account of the wound of the foot, but abandoned the prosecution of said claim.

The soldier was last examined 20 years ago by the Pierce City (Mo.) board of surgeons, and was then rated \$4 for scurvy and results, \$6 for rheumatism, and \$2 for the wound of the foot.

It is shown by the affidavits of Drs. Harris and Roseberry, of Mount Vernon, Mo., that the claimant is still afflicted with rheumatism, gastro-intestinal indigestion, constipation and alternating diarrhea, and afflicted with gall stones, and that the most moderate attempt at manual labor brings on an attack of biliary colic, and that by reason of these disabilities he is totally disabled from manual labor. This is restated in affidavit executed March 7, 1912.

He has a small amount of property, consisting of a farm of 80 acres, but the same is mortgaged for \$1,000.

Pensioner states, March 7, 1912, that his farm is worth \$2,500, with a mortgage of \$1,500, and he owes \$700 besides; that his mules, cattle, and other personal property is worth \$545. His income over and beyond his pension will not exceed \$50.

The Member who introduced the bill states that he is personally acquainted with the claimant, and knows that he is unable to perform manual labor.

Some measure of relief, to aid the soldier in his support, is believed to be justified by the facts set forth, and an increase of his pension to \$30 per month is recommended.

H. R. 19658. Sarah Brandon (now Sweeney), aged 103 years, is the dependent mother of John Brandon, who served as a private in Company F, Fifteenth Regiment Ohio Volunteer Infantry, from September 6, 1861, to June 30, 1864 (34 months).

The claimant's address is Jacobsburg, Ohio (R. F. D. No. 2).

She is pensioned under mother's certificate No. 231914, as dependent mother of John Brandon, who died in Andersonville (Ga.) prison on June 30, 1864.

The claimant's extreme age (103 years) and financial needs are the causes for which increase of pension is asked.

Aside from the son, John, who died in prison, one son of claimant was killed at battle of Pittsburg Landing, April, 1862; and three other sons were wounded in battle. She had five sons in the Union Army.

Her claim was properly admitted by the Pension Bureau at the rate allowed by law (\$12 per month) under act of July 14, 1862.

The remarkable age reached by the claimant; the fact that two of her sons died in service and three others were wounded; the insufficiency of the pension received by her to maintain her; the fact that there is no law under which she can be adequately compensated for her great sacrifice during the war; all these facts unite in causing a profound admiration for such a noble woman.

We recommend a rating of \$50 per month, to aid her in obtaining the necessary comforts of life, all of which she so richly deserves.

H. R. 19665. Cora A. Crist, aged 51 years, is the widow of James A. Crist, who served as a private in Company G, Twenty-seventh Regiment Kentucky Infantry, from December 9, 1861, to January 10, 1865 (3 years 1 month).

Soldier never applied for pension; he died April 3, 1907.

He and applicant were married November 10, 1878. Soldier had been previously married, July 22, 1866, to Elizabeth A. Bogard, in Alexander County, Ill. Applicant's marriage to soldier was consummated in Caldwell County, Ky., where she has resided ever since.

This case was thoroughly examined, and soldier's first wife from whom he was never divorced has completely disappeared, no trace of her to be found. She and soldier separated some years after their marriage; she is reported to have remarried, but all trace of her is lost.

Dr. J. D. Mott, March 2, 1912, says he was physician during last sickness of soldier; he died April 3, 1907. He and others testify that applicant has since remained his widow; that she has no property of any kind, and supports herself by sewing.

A pension of \$12 is allowed.

H. R. 19735. Philip McGregor, aged 67 years, served as a private in Company F, Fourteenth Regiment United States Colored Volunteer Infantry, from October 1, 1863, to March 26, 1866 (2 years 5 months 25 days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$8 per month by reason of rheumatism and senile debility.

Address, Pacific, Mo.

Board of surgeons, October 17, 1906, found pensioned disabilities.

Medical testimony is that applicant has chronic rheumatism, chronic bronchitis, and enlargement of the prostate; he is unable to do manual labor.

Other testimony is that applicant has a home worth about \$500, and his income is his pension.

An increase to \$30 a month is recommended.

H. R. 19778. Josiah Main, aged 72 years, served as a musician in band, Third Brigade, First Division, Twelfth Army Corps, and Second Brigade, First Division, Twentieth Army Corps, from March 27, 1863, to June 13, 1865 (2 years and 3 months), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$10 per month by reason of rheumatism, disease of heart, and senile debility.

Address, Dover, N. H.

Dr. J. D. O'Doherty, January 13, 1912, declares that soldier is almost totally blind, sight of left eye completely gone and right one so impaired as to be unable to distinguish objects, has heart dilatation, extreme cystitis, and right inguinal hernia. He is unable to get about without assistance.

It is shown that pensioner owns a place in Dover valued at \$600, mortgaged at \$400. This place is his home.

Unable to furnish the necessities of life for himself and wife, he has been assisted by the county of Strafford as a pauper.

An increase to \$30 is recommended.

H. R. 19779. Michael Dalton, aged 68 years, served as a private in Company A, Sixteenth Regiment Massachusetts Infantry, from July 2, 1861, to February 6, 1863 (7 months), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of July 14, 1862, at \$8 per month by reason of disease of right testicle and gunshot wound of left leg, shown in examination of December 19, 1894.

Dr. A. M. Foster, February 2, 1912, has treated him for chronic rheumatism, chronic enlargement of right testicle, chronic bronchitis, and valvular disease of heart; he can not earn a support by manual labor.

Neighbors say that when the mortgages on real and personal estate are paid he will not realize over \$500.

An increase to \$24 is recommended.

H. R. 19846. Herman K. Miller, aged 72 years, served as a sergeant in Company H, One hundred and forty-eighth Regiment Pennsylvania Infantry, from August 8, 1862, to May 24, 1865 (two years and nine months), and is pensioned under act of February 6, 1907, at \$15 on account of age. He was formerly pensioned at \$10 under act of June 27, 1890, for disease of rectum, rheumatism, and senile debility.

Address, Bellefonte, Pa.

Medical examination, November 16, 1904, shows pensioned causes, nervousness, and senile debility.

Dr. R. S. H. Hayes, February 7, 1912, reveals rheumatism, slight heart disease, piles, is old and feeble, with senile changes decidedly marked.

Dr. David Dale says pensioner has rheumatism in all large joints, is suffering from bleeding hemorrhoids and heart trouble, is weak and unable to perform manual labor.

Other testimony states that soldier has no property and no income but his pension.

He was in Andersonville Prison for 10 months.

An increase to \$30 is warranted.

H. R. 19970. Manford G. W. Tucker, aged 70 years, served as a private in Company C, Seventh Regiment Indiana Volunteers, from April 21, 1861, to August 2, 1861, and in Company H, Fifth Regiment Indiana Volunteer Cavalry, from August 22, 1862, to December 3, 1862; discharged on surgeon's certificate of disability. Total service, 6 months and 22 days. Now a pensioner under the act of July 14, 1862, at \$17 per month for chronic diarrhea and resulting disease of rectum and lumbago.

He was formerly pensioned under the act of June 27, 1890, at \$10 per month by reason of chronic diarrhea and resulting disease of rectum, lumbago, and injury to both legs.

Address, Portland, Ind.

Board of surgeons, December 27, 1911, found pensioned causes and rated at \$24 per month.

Medical testimony is that applicant has chronic colitis; has chronic diarrhea, alternating with constipation; has piles, both internal and external; has lumbago, and the muscles of right side are shrunken and weakened; as a result of these disabilities he is totally unfitted for manual labor.

Other testimony is that applicant has no property and no means of support but his pension.

Owing to his having served in two organizations, having been honorably discharged from both, the discharge from the second organization being on a surgeon's certificate of disability, which accounts for his short service, and the further fact that he is now pensioned under the general law, all warrant an increase to \$30 a month.

H. R. 20033. Samuel T. Wolf, aged 68 years, served as a private in Company K, Fifth Regiment Ohio Volunteer Infantry, from June 20, 1861, to July 12, 1865 (4 years and 22 days). Discharged for disability, and is now a pensioner under the act of July 14, 1862, at \$12 per month for gunshot wound of left knee and left hand and disease of eyes.

He was formerly pensioned under the act of June 27, 1890, at \$8 per month by reason of gunshot wound of left knee, rheumatism, and constipation.

Address, 426 West Mulberry Street. Springfield, Ohio.

Board of surgeons, March 3, 1908, found impairment of vision.

Medical testimony is that applicant is wholly disabled for manual labor by reason of disease of stomach, liver, and kidneys, severe constipation, and general debility.

Other testimony is that applicant has household goods worth \$300 and no other property and no income but his pension.

An increase to \$36 a month is recommended.

H. R. 20200. Amos E. Burbank, aged 71 years, served as a private in Company C, One hundred and ninth Regiment New York Infantry, from July 14, 1863, to June 13, 1865 (1 year 11 months), and is now a pensioner under the act of July 14, 1862, at \$30 per month for gunshot wound through abdomen.

Address, Sayre, Pa.

Medical examination of March 24, 1909 (and bureau has declined further examination), rates \$30 for results of wounds, including a right inguinal hernia as one of the results.

Medical evidence shows that July 17, 1909, soldier's right leg was amputated on account of gangrene; he is also suffering from rheumatism. He has no means of support other than his pension and requires the services of an attendant.

The pensioner's utter helplessness, his poverty, and a service of nearly two years, under the rules of your committee, allow an increase to \$50 a month.

H. R. 20254. John A. Pierson, aged 68 years, served as a private in Company G, Fourteenth Regiment Iowa Volunteer Infantry, from November 27, 1861, to November 16, 1864 (3 years, less 11 days), and is now a pensioner under the act of June 27, 1890, at \$12 per month for nasopharyngeal catarrh, rheumatism, piles, and left inguinal hernia.

He was formerly pensioned under the act of July 14, 1862, at \$8 per month by reason of left inguinal hernia.

Address, Attica, Kans.

Board of surgeons, January 18, 1899, found left inguinal hernia, nasopharyngeal catarrh, disease of rectum, rheumatism, and disease of heart.

Medical testimony is that applicant has nasopharyngeal catarrh, rheumatism, piles, and left inguinal hernia, and is unable to do manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$30 per month is recommended.

H. R. 20262. Alvin M. Miller, aged 74 years, served as a first lieutenant in Company M, Fourth Regiment Ohio Cavalry, from September 13, 1861, to August 7, 1864 (2 years 11 months), and is now a pensioner under the act of July 14, 1862, at \$17 per month for chronic diarrhea and resulting disease of rectum, and disease of lungs.

Address, Washington Courthouse, Ohio.

Medical examination, October 29, 1902, shows the pensioned disabilities and a severe disease of heart.

Dr. L. L. Brock, February 22, 1912, has treated pensioner for prostatitis, severe cystitis, and often it is impossible to void urine.

Pensioner says he has no property and is supported by a widowed daughter. Other persons testify that he has a life estate in a property valued at \$1,500, in which he lives with his daughter, who is a seamstress and supports him. He has no other resources except his pension.

A long service, an advanced age, helplessness, and poverty justify an increase to \$36 a month.

H. R. 20342. Emeline N. Griffiths, aged 73 years, is the widow of Esek A. Griffiths, who served as a corporal in Company C, First Regiment Rhode Island Light Artillery, from August 25, 1861, to August 27, 1864 (3 years).

Soldier was pensioned under act of February 6, 1907, at \$20. He died June 2, 1911. He and applicant were married April 20, 1865. She is pensioned under act of April 19, 1908, at \$12 a month.

Address, Pawtucket, R. I.

Dr. J. L. Wheaton has been attending pensioner and finds cerebral apoplexy, probably third attack; chronic interstitial nephritis and arteriosclerosis; that she is bedridden and will probably never be better.

Two neighbors testify that she can not leave her bed or help herself in any way; that she has no financial means of support except her pension of \$12 a month, and that she is entirely dependent upon her two sons.

An increase to \$20 a month is proper.

H. R. 20361. Josiah Garrison, aged 86 years, served as a private in Company F, One hundred and twenty-fourth Regiment New York Volunteer Infantry, from August 15, 1862, to April 16, 1863 (8 months 1 day). Discharged for disability, and is now a pensioner under the act of February 6, 1907, at \$20 per month on account of age.

He was formerly pensioned under the act of July 14, 1862, at \$12 per month by reason of injury to spine and kidneys.

Address, 30 Patterson Street, Port Jervis, N. Y.

Board of surgeons, April 9, 1890, found disease of lungs, liver, and kidneys.

Medical testimony is that applicant has had two strokes of apoplexy, from the effects of which he still suffers; his heart condition is bad, and his arterial degeneration is fast climaxing; has a great amount of dizziness and marked shortness of breath. He is unable to work and has to have assistance to dress and undress and to look after him generally.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$30 a month is recommended.

H. R. 20364. Christine March, aged 66 years, is the widow of Frederick March, alias Frederick Marks, who served as a private in Company H, Thirty-first Regiment Wisconsin Infantry, from September 29, 1862, to May 15, 1865 (2 years 7 months).

Soldier was pensioned under act of June 27, 1890, at \$8; he died May 10, 1905; he and applicant were married October 31, 1866, at which date she had a former husband living and undivorced, who did not die until August 7, 1878. Her first husband deserted her seven months after their marriage in 1864, and she procured from a justice of the peace a divorce from said husband. Both she and her first husband accepted the divorce as valid, and both married a second time.

She bore the soldier nine children, three of whom were born after the death of the first husband. She and the soldier signed legal papers as man and wife and were so recognized by the community.

The only property she now possesses is a note for \$500.

Lay testimony shows she is old, feeble, and buying medicine, always ailing, and is in needy circumstances.

An allowance of \$12 a month is recommended.

H. R. 20414. Reuben V. Lott, aged 71 years, served as a corporal in Company E, One hundred and sixty-fourth Regiment Ohio National Guard Infantry, and private in Company A, One hundred and

ninety-eighth Ohio Infantry, from May 2, 1864, to August 24, 1864, and from March 27, 1865, to May 8, 1865 (5½ months), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

Formerly pensioned under act of June 27, 1890, at \$12 per month for rheumatism, disease of heart and rectum; shown in medical examination February 25, 1891.

Dr. N. C. Miller, May 9, 1912, has treated pensioner for articular rheumatism, which totally disables him for manual labor.

Pensioner says he can not walk without help, and he and another testify that he owns no real or personal property and has no income but his pension.

Address, Fostoria, Ohio.

An increase to \$24 is allowable.

H. R. 20449. Tandy R. Shoemaker, aged 66 years, served as a private in Company A, Thirtieth Regiment Kentucky Volunteer Infantry, from October 26, 1863, to April 18, 1865 (1 year 5 months and 22 days), and is now a pensioner under the act of July 14, 1862, at \$24 per month on account of rheumatism and resulting disease of heart.

Address, Forestville, Ky.

Board of surgeons, October 18, 1899, found pensioned causes and disease of digestive organs.

Medical testimony is that applicant has heart trouble and rheumatism, and his condition is such that he is unable to do manual labor. Dr. J. J. Adams declares that soldier's back is so affected by rheumatism that he can not stoop over. palsy affects his arms and legs, and these diseases prevent him from performing manual labor.

The county assessor certifies that soldier has 75 acres of land, valued at \$600; personal property, \$160; after exceptions are allowed there remains \$600 for taxation.

Neighbors testify that the farm is on a rocky ridge, is worn out, and worth not more than \$500; income therefrom not over \$30 a year.

An increase to \$36 is recommended.

H. R. 20462. Abram Eutsler, aged 76 years, served as a private in Company A, One hundred and twenty-second Regiment Ohio Infantry, from May 13, 1864, to June 26, 1865 (1 year and 1 month), and is now a pensioner under the act of July 14, 1862, at \$24 per month on account of rheumatism and resulting disease of heart.

Address, Milledgeville, Ohio.

Medical examination, December 28, 1910, shows rheumatism in all joints severe and severe heart disease; has right direct inguinal hernia. Board rating, \$30 a month.

Dr. J. R. Adams, February 24, 1912, has treated pensioner for chronic heart trouble, the result of rheumatism; for rupture; and says he is totally unable to perform labor. He has curvature of spine due to rheumatism.

Pensioner and witnesses say his only property is a house and lot, worth from \$400 to \$500, and that he has no other resources than his pension.

An increase to \$40 is warranted, due to his service, age, and helplessness.

H. R. 20468. Conrad Push, aged 67 years, served as a private in Battery I, Third Regiment United States Artillery, from August 22, 1864, to August 22, 1867 (three years), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$8 per month by reason of obesity.

Address, New Castle, N. H.

Board of surgeons, February 7, 1906, found obesity and general debility.

Medical testimony is that applicant has chronic rheumatism. enlarged prostate, with accompanying cystitis; also has angina pectoris and arteriosclerosis; is unable to do manual labor.

Other testimony is that applicant has no income but his pension. The Member introducing the bill states that the applicant is a poor man and greatly in need of an increase in pension to secure for himself the necessities of life.

An increase to \$30 a month is recommended.

H. R. 20513. John O'Mara, aged 73 years, served as a second-class fireman on U. S. S. *Michigan*, *North Carolina*, and *Galatea*, United States Navy, from September 28, 1863, to September 15, 1864 (1 year less 13 days), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of rheumatism, catarrh, disease of heart, injury of right hip and leg, and disease of kidneys.

Address, 822 Eagle Street, Buffalo, N. Y.

Board of surgeons, December 23, 1903, found rheumatism, broken right leg, catarrh of head and throat, and Bright's disease.

Medical testimony is that applicant has chronic rheumatism and disease of heart and kidneys; is unable to do manual labor.

Other testimony is that applicant has a small cottage (owned jointly by himself and wife) and that his income is his pension.

An increase to \$24 a month is recommended.

H. R. 20516. Henry A. Munzert, aged 68 years, served as a private in Company L, Thirteenth Regiment New York Heavy Artillery, from March 26, 1864, to June 28, 1865 (1 year 3 months), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

Formerly pensioned under act of June 27, 1890, at \$8 for bronchitis and disease of heart and kidneys, as shown in medical examination of February 24, 1904.

Address, No. 18 Hickory Street, Buffalo, N. Y.

Dr. J. A. Pettit, November 15, 1911, declares pensioner is suffering from chronic heart disease and disease of arteries, which are incurable and prevent his doing any manual labor whatever.

Pensioner avers that he has no property to speak of, and his pension is inadequate for the support of himself and wife; that the assessed valuation of his home is \$1,687.50, which is corroborated by two witnesses. The Member introducing the bill says the actual value of this property is \$2,000, and pensioner has but a half interest therein; that he is a poor man.

An increase to \$30 is recommended.

H. R. 20530. Alexander Mattison, aged 78 years, served as a captain in Company H, Twenty-fifth Regiment Ohio Infantry, from February 13, 1864, to June 18, 1866 (2 years and 4 months), and is now a pensioner under special act of April 30, 1908, at \$24.

Formerly pensioned under act of June 27, 1890, at \$6; then, under act of February 6, 1907, at \$15.

Address, Atlanta, Ga.

Dr. J. C. Avary, December 6, 1911, treated him for necrosis of left thigh, varicose veins; both wrists have been broken and are deformed, and his age and physical condition is such that he can not engage in business or do any work.

The county collector certifies that the rolls show no property assessed in his name.

Pensioner's only income is his pension of \$24 a month.

His diseased leg (rendering him a cripple), his great age, and his poverty warrant an increase to \$40 a month.

H. R. 20534. Charles J. Hodgkinson, aged 63 years, served as a private in Company F, Fortieth Regiment Wisconsin Volunteer Infantry, from May 18, 1864, to September 16, 1864 (3 months and 28 days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$8 per month by reason of rheumatism, indigestion, and nasopharyngeal catarrh.

Address, 29 Walnut Street, Brookville, Pa.

Board of surgeons, February 5, 1908, found pensioned causes.

Medical testimony is that applicant has kidney disease, catarrh of stomach, and disease of the nervous system, and is unable to do manual labor.

Other testimony is that applicant has a house and lot, which is under mortgage; has, for personal property, his tools and household effects; has no income but his pension.

An increase to \$24 a month is recommended.

H. R. 20535. John McAdoo, aged 72 years, served as a private in Signal Corps, United States Artillery, from February 13, 1864, to September 7, 1865 (1 year 6 months 24 days), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of nasopharyngeal catarrh, general debility, lumbago, and disease of heart and stomach:

Address, Indiana, Pa.

Board of surgeons, November 14, 1896, found catarrh, disease of heart, stomach troubles and results, lumbago, and dislocation of great toe.

Medical testimony is that applicant has enlarged prostate and a large hydrocele; is unable to do manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$30 a month is recommended.

H. R. 20556. William Fuller, aged 64 years, served as a private in Company K, Thirty-first Regiment Wisconsin Volunteer In-

fantry, from October 20, 1862, to May 15, 1865 (2 years 6 months 25 days), and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of severe deafness of both ears and disease of eyes.

Address, R. F. D. No. 2, Denver, Colo.

Board of surgeons, January 2, 1895, found deafness of both ears.

Medical testimony is that applicant has epilepsy and greatly impaired hearing. Is unable to do manual labor.

From the testimony it appears that the applicant's only source of support is his pension.

An increase to \$30 a month is recommended.

H. R. 20621. Willard B. Hill, aged 67 years, served as a private in Company G, Tenth Regiment Maine Volunteer Infantry, from September 25, 1861, to May 8, 1863; and in Company G, Twenty-ninth Regiment Maine Volunteer Infantry, from September 24, 1863, to February 21, 1866 (total service, 4 years and 10 days), and is now a pensioner under the act of July 14, 1862, at \$17 per month on account of loss of little finger of right hand from gunshot wound, and functional disease of heart, result of chronic diarrhea.

Address, Elco, Ill.

Board of surgeons, July 27, 1910, found functional disease of heart, loss of little finger of right hand, arteriosclerosis, cystitis, enlarged prostate, varicose veins, rheumatism, and cancer of penis, and emaciation. Rating, \$24 per month.

Medical testimony is that applicant has heart disease and cancer of the penis, and is totally disabled for the performance of manual labor.

Evidence from reliable persons shows that soldier owns his home, valued at \$700, a fair price, and his only income is his pension.

An increase to \$36 per month is just and proper.

H. R. 20656. Henry Gaines, aged 69 years, served as a private in Company A, Twelfth Regiment Missouri State Militia Cavalry, from December 12, 1861, to January 31, 1865 (37½ months), and is now a pensioner under the act of July 14, 1862, at \$17 per month on account of double inguinal hernia.

His post-office address is Zalma, Mo.

In addition to pensioned cause the soldier suffers with cystitis, an enlarged prostate gland, and rheumatism. He is wholly incapacitated for any manual labor. These are the facts as shown by the evidence.

The board at Marble Hill, Mo., on September 20, 1911, shows direct complete double inguinal hernia. The right passes into the scrotum, the tumor is 8 inches long and 10 inches in circumference; the left tumor passes into scrotum, is 8 inches long and 10 inches in circumference.

The serious disability resulting from such a double hernia is sufficient to justify an increase of pension to \$30 per month, which is recommended.

H. R. 20657. Nicholas Burlbaw, aged 72 years, served as a private in Company I, Thirty-seventh Regiment Indiana Volunteer Infantry, from September 18, 1861, to October 27, 1864 (3 years 1 month and

9 days), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of July 14, 1862, at \$8 per month by reason of gunshot wound of left thigh.

Address, Fredericktown, Mo.

Board of surgeons, July 7, 1909, found pensioned disability, complete hernia on right side, feeble, weak heart, marked senility, total loss of hearing of left ear.

Medical testimony is that applicant is totally unable to perform manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$36 a month is recommended.

H. R. 20658. John W. Wray, aged 66 years, served as a private in Companies F and I, Fiftieth Regiment Missouri Volunteer Infantry, from November 18, 1864, to May 26, 1865 (6 months and 8 days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$10 per month by reason of disease of lungs and rectum, rheumatism, and loss of sight of right eye.

Address, Fredericktown, Mo.

Board of surgeons, November 1, 1905, found a rating of \$12.

Medical testimony is that applicant has severe conjunctivitis of both eyes, rendering him almost blind; he has a serious inguinal hernia which can not be reduced. His general physical condition is such that he is unable to do manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$24 is recommended.

H. R. 20774. Stephen P. Libby, aged 67 years, served as a private in Company F, Twenty-fifth Regiment Maine Volunteer Infantry, from September 10, 1862, to July 10, 1863; and in Unassigned Thirtieth Regiment Maine Volunteer Infantry, from March 23, 1865, to May 10, 1865; total service, 11 months and 17 days; and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$10 per month by reason of rheumatism, disease of digestive organs, and locomotor ataxia.

Address, Gorham, Me.

Board of surgeons, March 16, 1903, found no rating.

Medical testimony is that applicant has received a severe injury of the spine and from it is unable to do manual labor.

Other testimony is that applicant has no property of any kind.

An increase to \$24 a month is recommended.

H. R. 20844. Thomas J. Cartwright, aged 68 years, served as a private in Company F, Seventy-fifth Regiment Indiana Volunteer Infantry, from July 21, 1862, to June 8, 1865 (2 years 10 months and 17 days), and is now a pensioner under the act of July 14, 1862, at \$30 per month on account of chronic diarrhea and resulting piles;

rheumatism and resulting disease of heart; and nasopharyngeal catarrh and resulting slight deafness of both ears.

Address, Pennville, Ind.

Board of surgeons, July 3, 1906, found chronic diarrhea and resulting piles and rated at \$24 per month; rheumatism and resulting disease of heart and rated at \$17 per month; nasopharyngeal catarrh and rated at \$4 per month; and deafness at \$6 per month.

Medical testimony is to the effect that the applicant is not only unable to do manual labor, but is fast becoming a physical wreck, and this condition is due to pensioned causes.

It further appears that the applicant's only support is his pension.

An increase to \$40 per month is recommended.

H. R. 20920. George C. Hall, aged 42 years, is the helpless child of Thomas B. Hall, who served as a private in Company I, Eighteenth Regiment Indiana Volunteer Infantry, from August 16, 1861, to August 27, 1864 (36 months).

Applicant's address is North Vernon, Ind.

Soldier died December 25, 1886. He left no widow.

A claim filed in the Bureau of Pensions was rejected on the ground that the applicant was over 16 years of age on the date of passage of act of June 27, 1890.

Medical evidence shows that applicant is 4 feet 8 inches in height, weighs 100 pounds; there is a posterior curvature of the spine; partial paralysis left arm; complete ankylosis of ankle joints, left knee, and hip; right foot badly deformed; organs of chest and abdomen are displaced, as a result of bony deformity; is unable to stand or move without the aid of crutches.

Two photographs filed in this claim show the great deformity and helplessness of the claimant.

He is without property or income.

A rating of \$24 per month is recommended.

H. R. 21088. Thomas Overstreet, aged 68 years, served as a corporal in Company G, Fourth Regiment Kentucky Volunteer Mounted Infantry, from September 9, 1861, to August 17, 1865 (3 years 11 months and 8 days); was a prisoner of war, and is now a pensioner under the act of July 14, 1862, at \$17 per month on account of chronic diarrhea and resulting hemorrhoids.

Address, Leon, Kans.

Board of surgeons, December 6, 1905, found diarrhea, piles, and disease of rectum, rheumatism, and disease of heart.

Medical testimony is that applicant has chronic diarrhea and resulting hemorrhoids; is unable to do manual labor.

Other testimony is that applicant has a half interest in his home, and has no other property; he has no income but his pension.

An increase to \$30 a month is recommended.

H. R. 21102. Fountain D. Plummer, aged 63 years, served as a private in Company K, One hundred and fifty-second Regiment Ohio National Guard Infantry, from May 2, 1864, to September 2, 1864, and in Company I, Eighth Regiment Ohio Volunteer Cavalry, from April 6, 1865, to July 30, 1865 (total service, 7 months and 24 days), and is now a pensioner under the act of June 27, 1890, at \$12 per

month for rheumatism, disease of heart, chronic diarrhea, disease of rectum, enlarged prostate, and cystitis.

Address, R. R. No. 18, Alexandria, Ind.

Board of surgeons, May 11, 1910, found rheumatism, chronic diarrhea, and disease of rectum, heart disease, enlarged prostate, and cystitis.

Medical testimony is that applicant is, by reason of rheumatism and heart disease, unable to work.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$24 a month is recommended.

H. R. 21112. Annie Swayze, aged 62 years, is the widow of Amos B. Swayze, who served as a private in Company B, Thirteenth Regiment Indiana Infantry, from June 19, 1861, to October 10, 1861, and from January 21, 1862, to September 1, 1865 (3 years and 7 months). He was pensioned at \$4 under the general law for disease of lungs. He died March 23, 1897.

Applicant alleges that she and soldier were married at La Porte, Ind., April 28, 1873.

Her address is 4149 North Whipple Street, Chicago, Ill.

She applied for pension both under act of June 27, 1890, and under the general law. Both rejected after special examination on the ground that claimant failed to establish that she and soldier had ever been married or that her former husband, Michael Jonas, was dead or divorced from her.

A Member of Congress testifies that he knew applicant and soldier from about 1877 to 1886, during which period they were known as man and wife. Other testimony shows they lived together as husband and wife from the date of their alleged marriage to his death.

Soldier had been previously married; his first wife died in 1870.

The special examiners were unable to obtain any trace of applicant's first husband. One John O'Neill testifies that the first husband, Michael Jonas, died at Plymouth, Ind., about the year 1871; that he (O'Neill) saw him dead. The special examiner throws doubt on this affidavit, though he did not find O'Neill to cross-examine him.

Soldier and applicant lived together in the marriage relation for 24 years, in the States of Indiana and Illinois, and had four children, all of whom died of smallpox at Valparaiso, Ind.

Testimony recently filed shows that applicant is in poor health, unable to earn a living, has no property or income, and makes her home with a daughter and her husband; she has not remarried since soldier's death.

Resolving all doubts as to her marital status in her favor since, if not dead, her first husband has been unheard of for 40 years, and both the States in which she and soldier lived recognizing common-law marriages, it is proper to allow her a pension of \$12 a month.

H. R. 21247. Laura V. Alexander, aged 56 years, is the widow of Robert McClellan Alexander, who served as a second lieutenant in Company G, Fifth Regiment Pennsylvania Reserve Volunteer Infantry, from June 5, 1861, to June 11, 1864 (three years).

Soldier was pensioned under the general law at \$25 for deafness. He died July 26, 1911. He and applicant were married March 5, 1891, their respective former spouses having previously died.

The accrued pension was paid her by the Pension Bureau.

She has no title under act of April 19, 1908, owing to the date of her marriage.

Dr. E. E. Moor, March 29, 1912, declares that applicant suffers from attacks of acute inflammatory rheumatism; also suffers from prolapsus uteri.

Lay testimony shows that that soldier left this widow \$1,500 life insurance, from which was paid the decedent's indebtedness, and the widow realized only \$210. Besides this she has an interest in a piece of real estate of the value of \$600; also owns a judgment of about \$600, which is wholly worthless.

There are numerous precedents to allow, under the above conditions, a pension of \$12 a month.

H. R. 21266. Erastus Morgan, aged 70 years, served as a private in Company K, First Regiment Iowa Volunteer Cavalry, from July 1, 1861, to February 15, 1866 (55 months), and is now a pensioner under the act of July 14, 1862, at \$17 per month on account of injury of nose.

Claimant's address, Corvallis, Mont.

In addition to partial loss of nose, for which soldier is pensioned, he suffers with an exaggerated case of pharyngeal catarrh, extending into the right eustachian tube, and also chronic gastritis.

Medical and lay testimony in the case shows that soldier is incapacitated for manual labor; he has nothing else than his pension to support him.

The great disfiguration due to partial loss of nose, his distress and annoyance from his disabilities, his long service are facts that entitle this soldier to unusual consideration.

Repeatedly examined by different boards at different dates, his condition is shown to be permanent and pitiable.

A rating of \$36 per month is recommended.

H. R. 21297. John B. Thompson, aged 68 years, served as a corporal in Company G, Twenty-ninth Regiment Iowa Volunteer Infantry, from August 9, 1862, to August 10, 1865 (three years and one day), and is now a pensioner under the act of July 14, 1862, at \$17 per month for disease of back and eyes and nasopharyngeal catarrh.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of nasal catarrh and disease of back and eyes. Address, Hopkins, Mo.

Board of surgeons, July 18, 1906, found disease of back, disease of eyes, disease of heart, and catarrh, and rated at \$24 per month.

Medical testimony is that applicant has catarrh, affecting his hearing and eyesight very much; he also has rheumatism and lumbago; also has heart trouble as a result of rheumatism; is unable to do manual labor.

Other testimony is that applicant has a small home and no other property, and his income is his pension.

An increase to \$36 a month is recommended.

H. R. 21316. Joseph H. Duncan, aged 67 years, served as a private in Company A, Fifty-fourth Regiment Kentucky Volunteer Infantry, from September 14, 1864, to September 1, 1865 (12 months less 13 days), and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of chronic bronchitis, catarrh, and general debility.

The soldier's address is Olive Hill, Ky.

In addition to pensioned causes, it appears the soldier is now suffering with cataract, both eyes. He is almost blind and can scarcely get around. He has a small piece of mountain land, almost worthless, where he makes a home. He is wholly unable to perform any manual labor; he has no income aside from his pension.

These are the facts as shown by medical and lay testimony filed in support of the claim.

The board at Morehead, Ky., on July 1, 1908, found soldier suffering from effects of jaundice; multiple neuritis, associated with rheumatism, general debility, emaciation—to a degree to wholly disable him for any labor.

A rating of \$30 per month is recommended.

H. R. 21377. Thomas B. Chapman, aged 71 years, served as a private in Company H, Second Regiment United States Veteran Volunteer Infantry, from March 2, 1865, to March 5, 1866 (1 year and 3 days), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$8 per month by reason of rheumatism and senile debility.

Address, 3511 Barrett Street, St. Louis, Mo.

Board of surgeons, November 8, 1908, found cardiac dyspnea, gouty enlargement of joints and fingers, digestive disturbances, and senility.

Medical testimony is that applicant has paralysis; is unable to labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$30 a month is recommended.

H. R. 21380. Verona Withans, aged 66 years, is the widow of Simon Withans, who served as a private in Company K, Forty-ninth Regiment Missouri Infantry, from December 28, 1864, to June 10, 1865 (5 months and 13 days).

Soldier was pensioned under the act of June 27, 1890, at \$6 for rheumatism and disease of heart; also pensioned previously \$2 under general law for rheumatism. Soldier died November 2, 1901; he and applicant were married December 22, 1867.

Dr. W. P. Smith, February 29, 1912, testifies that applicant is badly crippled by reason of an inflammatory condition of right shoulder of years' standing; the muscles have atrophied and wasted away; the right clavicle has been removed—removed when a child; she is unable to do manual labor.

Porter Jones and Rufus Sheets testify that applicant has no land and no help whatsoever except her pension.

Address, Truxton, Mo.

An increase to \$20 is recommended.

H. R. 21385. James A. Buck, aged 69 years, served as a private in Company D, Twenty-second Regiment New York Infantry, from June 6, 1861, to June 19, 1863 (2 years), and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of fracture of left forearm, loss of left great toe, impaired vision, and senile debility, which disabilities were shown on medical examination August 10, 1904; also fracture of left leg.

Address, Crescent, N. Y.

Medical testimony, February 21, 1912, shows that recently he had two toes amputated owing to necrosis of the bones, and probably will be compelled to have leg amputated; that he is a city charge in the hospital; that he is absolutely unable to perform any manual labor.

Comrades and neighbors testify that he has no property, no income but his pension, and is assisted by the Grand Army of the Republic post.

An increase to \$30 is warranted.

H. R. 21386. Paul Hirschfield, alias Harris Cohn, aged 69 years, served as a private in Company C, Tenth Regiment New Jersey Volunteer Infantry, from March 30, 1865, to July 1, 1865 (3 months 1 day), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$3 per month by reason of eczema and disease of heart.

Address, 421 Otto Street, Brooklyn, N. Y.

Board of surgeons, October 8, 1902, found eczema, general heart disease, rheumatism, and debility.

Medical testimony is that applicant has chronic eczema, which covers most of his body; also has asthma and weak heart and weak kidneys; has general debility; is unable to do manual labor.

Other testimony is that applicant is in very destitute circumstances and has no income but his pension.

An increase to \$20 a month is allowable.

H. R. 21402. John A. Kerr, aged 63 years, served as a private in Company B (Capt. Wilson's company), First Battalion Pennsylvania Volunteer Infantry, from July 9, 1864, to November 14, 1864 (4 months 5 days), and is now a pensioner under the act of June 27, 1890, at \$12 per month for partial paralysis of left side, disease of heart, and impaired vision of right eye.

He was formerly pensioned under the act of July 14, 1862, at \$1 per month by reason of affection of head, result of sunstroke.

Address, Homer City, Pa.

Board of surgeons, November 6, 1907, found pensioned cause and affection of left side, disease of heart, impaired vision, and slight deafness of left ear.

Medical testimony is that applicant suffers from results of sunstroke, sight of right eye is greatly impaired, his heart is enlarged, right ankle is enlarged, partially ankylosed, and tender; it appears that he is unable to do manual labor.

Other testimony is that applicant has a home worth about \$600 and his household goods; has no income but his pension.

An increase to \$24 a month is recommended.

H. R. 21408. Harrison Bernard Taylor, aged 40 years, is the helpless and dependent child of James F. Taylor, who served as a private in Companies A and G, Ninth Regiment Illinois Infantry, from August 18, 1861, to July 9, 1865 (3 years and 11 months). Soldier was pensioned under act of June 27, 1890, at \$12. He died January 22, 1908. His widow, Helen M. Taylor, was pensioned from January 30, 1908, until her death, October 1, 1909.

The applicant is the child of soldier and his first wife, Sophia, whom soldier married January 8, 1866; he and Sophia were divorced November 14, 1888. On November 24, 1888, he and Helen were married. Sophia died March 23, 1893.

There is no one pensioned at present on soldier's service. The applicant was born October 3, 1872.

Dr. C. C. Hazel has known applicant for 20 years, and has attended him for epilepsy at various times. He is mentally deficient and is incurable.

Since his father's death his aunt Margaret has had the care of him, and neither he nor his aunt have any means.

The evidence of relatives is to the point that applicant has had fits since he was 1 year old, which increase in severity as he grows older; that he has no property or means of support.

A pension of \$12 a month is allowable.

H. R. 21414. Isaac Prosser, aged 72 years, served as a private in Company C, Seventy-ninth Regiment Pennsylvania Volunteer Infantry, from March 9, 1865, to July 12, 1865 (4 months and 3 days), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

Address, Birmingham, Ala.

No report from a board of surgeons on file.

Medical testimony by Dr. A. L. Atwood, under date of March 13, 1912, is that applicant has been under his treatment since 1909; that he suffers from attacks of malaria and chills; that owing to his suffering from malaria and chills, together with his age, the applicant is incapacitated from doing manual work of any kind.

Other testimony is that applicant has no property, real, personal, or mixed, and has no income from any source, except his pension.

An increase to \$24 a month is recommended.

H. R. 21437. Henry B. Furber, aged 75 years, served as a sergeant in Company H, Fourteenth Regiment West Virginia Volunteer Infantry, from July 21, 1862, to March 4, 1863 (7 months and 13 days); discharged for disability; and is now a pensioner under the act of July 14, 1862, at \$24 per month on account of rheumatic arthritis of right hip and hemorrhoids.

Address, Tecumseh, Okla.

Board of surgeons, April 3, 1907, found pensioned causes, and rated at \$30 per month. The board also found severe deafness of both ears.

Medical testimony is that applicant has piles, severe deafness, dislocated hip; is unable to put on his clothes.

Other testimony is that applicant has a home, but no income but his pension.

In view of the fact that applicant's comparatively short service was due to his being discharged for disability, and having in view the further fact of his present grievous disabilities, an increase to \$30 a month is recommended.

H. R. 21469. Reubin Bradish, aged 68 years, served as a private in Company C, Sixteenth Regiment Michigan Volunteer Infantry, from December 11, 1861, to July 8, 1865 (3 years 6 months and 27 days), and is now a pensioner under the act of July 14, 1862, at \$24 per month on account of disease of heart.

Address, Belding, Mich.

Board of surgeons, September 24, 1908, found pensioned cause.

Medical testimony is that applicant has heart disease, ulceration of bowels, and hemorrhoids; is unable to do any labor.

Other testimony is that applicant has a home worth \$1,000; has no personal property, and no income but his pension.

An increase to \$36 a month is recommended.

H. R. 21509. George Grove, aged 31 years, is the helpless and dependent child of Simon Grove, who served as a private in Company G, Twenty-first Regiment Pennsylvania Cavalry, from July 14, 1863, to February 20, 1864, and August 24, 1864, to July 8, 1865 (1 year and 5 months).

Soldier died March 31, 1903. He had been pensioned under act of June 27, 1890, at \$6. His widow, the mother of this applicant, was pensioned under the same act at \$8 and \$2 each for two children until they severally became 16, and subsequently was allowed \$2 additional for this applicant, who was born March 20, 1881. Her own pension was increased to \$12 a month by act of April 19, 1908. She died January 25, 1912.

Applicant's address, Labata, Pa. (by guardian, Emanuel Demney).

The testimony of three physicians is to the effect that this child was born an idiot, is such at present; that he has no mind, can not talk or do any work; has no property and no means of support whatever.

An allowance of \$12 a month is just and proper.

H. R. 21512. Henry S. Davis, aged 67 years, served as a musician in Company C, Third Regiment Delaware Volunteer Infantry, from April 24, 1862, to May 17, 1865 (3 years and 1 month), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$8 per month by reason of rheumatism, disease of heart, and dyspepsia.

Address, Hampton, Va.

Medical examination, January 16, 1907, shows pensioned causes only.

Dr. J. P. Parker, April 11, 1912, says he suffers from chronic bronchitis, arteriosclerosis, cardiac dilatation, chronic articular rheumatism, and chronic gastritis, and that he is unable to do manual labor.

Pensioner and another person swear that his only means of livelihood is his pension.

An increase to \$30 is recommended.

H. R. 21562. James A. Dowell, aged 78 years, served as a private in Company M, Sixteenth Regiment Kansas Volunteer Cavalry, from

December 19, 1863, to December 6, 1865 (2 years less 13 days), and is now a pensioner under the act of February 6, 1907, at \$20 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of total inability to earn a support by manual labor.

Was formerly pensioned under the act of July 14, 1862, at \$6 per month for disease of stomach.

Address, Arroyo Grande, Cal.

Board of surgeons April 2, 1902, found loss of sight of right eye, rheumatism, lame right foot, atrophy of left hip and leg, piles, dropsy, and general debility, and rated at \$12 per month.

Medical testimony is that applicant has cystitis, choroiditis, keratitis, and granular conjunctivitis; has had an apoplectic stroke and has paralysis agitans; is almost helpless.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$36 a month is recommended.

H. R. 21569. Susan C. Virgin, aged 75 years, is the widow of James M. Virgin, who served as a sergeant in Company K, Twenty-fifth Regiment Iowa Infantry, from August 15, 1862, to June 6, 1865 (2 years 10 months).

Address, Weimer, Ark.

Soldier was pensioned under act of June 27, 1890, at \$12. He died April 25, 1906. He and applicant were married October 27, 1857. She is now pensioned under act of June 27, 1890, as amended, at \$12 a month.

Dr. M. S. Alexander says that pensioner is physically unable to earn her own living, being old and permanently disabled, with ankylosis of hip joint, result of fracture.

Applicant and O. W. Bradfor swear that she owns a house and 4 acres of land valued at \$500; that her pension is her only income and is insufficient for her needs.

An increase to \$20 is justified.

H. R. 21580. Francesca L. Perrine, aged 62 years, is the widow of Hermanus L. Perrine, who served as an acting third assistant engineer, United States Navy, from October 17, 1864, to May 10, 1865 (8 months).

Sailor was pensioned under act of February 6, 1907, at \$12, and this widow is pensioned under the act of April 19, 1908, at \$12.

Dr. W. H. Hicks says pensioner is suffering from a nervous breakdown and is not equal to any serious effort toward self-support.

Dr. W. W. Beveridge has found this patient a confirmed invalid, suffering from an extremely nervous disease and incapable of earning a livelihood.

Lay testimony shows that her assured income is her pension of \$12 a month and an occasional small revenue from a patent, and on account of a helpless son is in a most embarrassing financial condition.

An increase to \$20 a month is recommended.

H. R. 21583. Julia J. Kendall, aged 72 years, is the widow of George H. Kendall, who served as a commissary sergeant in the Thirty-seventh Regiment New York State Militia, from June 18

to July 22, 1863 (1 month). Soldier never applied for pension. He died January 15, 1866. He and this pensioner were married April 18, 1855. She was pensioned from the date of his death at \$8, and at \$12 from March 19, 1886.

Address, Worcester, Mass.

Dr. E. L. Hunt says that by reason of her advanced age pensioner is unable to contribute to her support by manual labor.

Pensioner and two others testify that she is unable to labor; that she is possessed of no property, real or personal, and no income other than her pension of \$12 a month.

An increase to \$20 is recommended.

H. R. 21598. Jacob Eley, aged 73 years, served as a private in Company C, Forty-seventh Regiment Indiana Volunteer Infantry, from October 8, 1861, to October 24, 1865 (4 years 16 days), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of July 14, 1862, at \$12 per month by reason of gunshot wound of right wrist, disease of throat and lungs, and gunshot wound of left thigh.

Address, Berne, Ind.

Board of surgeons, August 16, 1905, found gunshot wound of right wrist and disease of throat and lungs.

Medical testimony is that applicant has paralysis agitans, with marked dyspnea and tachycardia on exertion; is nearly blind from cataract; has marked emphysema; his condition renders him unfit to do manual labor.

Other testimony is that applicant has a small home and no other property, and no income but his pension.

An increase to \$36 a month is recommended.

H. R. 21608. Addison Miller, aged 68 years, served as a private in Company G, Eighty-first Regiment Pennsylvania Volunteer Infantry, from February 26, 1864, to May 25, 1865 (1 year 2 months 29 days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$8 per month by reason of chronic diarrhea. He was formerly pensioned under the act of July 14, 1862, at \$4 per month for chronic diarrhea.

Address, Wilkes-Barre, Pa.

Board of surgeons, May 13, 1891, found chronic diarrhea, dyspepsia, and general debility.

Medical testimony is that applicant suffers from rheumatism; is unable to do manual labor.

Other testimony is that applicant has no property of any kind.

An increase to \$30 a month is recommended.

H. R. 21635. August Arnoldi, aged 72 years, served as a corporal in Company C, Twenty-seventh Regiment Wisconsin Volunteer Infantry, from August 21, 1862, to January 11, 1864 (1 year 4 months and 20 days), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$10 per month by reason of chronic diarrhea and disease of rectum, and senile debility and disease of head.

Address, Sheboygan Falls, Wis.

Board of surgeons, November 2, 1904, found chronic diarrhea and disease of rectum, injury to brain and spine, injury to right shoulder, and senility.

Medical testimony is that applicant's eyesight is very poor; also suffers from chronic rheumatism; is unable to do manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$30 a month is recommended.

H. R. 21689. Ephraim Martin, aged 66 years, served as a private in Company B, First Regiment Louisiana Cavalry Scouts, from April 22, 1864, to November 12, 1864 (seven months), and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of rheumatism, disease of heart, neuralgia, and disease of kidneys.

Address, Aubrey, La.

Medical examination, March 19, 1907, shows nephritis and cystitis; unable to do manual labor. Dr. J. H. Burrow's affidavit, March 16, 1912, is that applicant is unable to perform manual labor.

Other witnesses say he is in indigent circumstances and has no real estate or property.

An increase to \$20 is recommended.

H. R. 21777. Louis Gessner, aged 80 years, served as an assistant surgeon in Thirty-seventh Regiment Ohio Infantry, from July 29, 1862, to January 2, 1863 (five months), and is now a pensioner under the act of July 14, 1862, at \$22 per month on account of severe deafness of both ears and disease of heart on finding of board of surgeons in 1891.

Dr. M. Stamm, March 9, 1912, declares that pensioner has been affected with severe deafness, valvular disease of heart, sclerotic condition of the blood vessels, and that he needs the constant care and attention of another person.

Pensioner's address, Fremont, Ohio.

H. G. De Ran, March 22, 1912, testifies that pensioner is an invalid, requiring the constant attention of nurses; that he has been totally disabled for a year; that his friends must bear the expense of his medical attendance, nursing, and board; that pensioner has no means of support and no income but his pension.

In view of his extreme age, deplorable condition, and destitution an increase to \$50 is recommended.

H. R. 21809. Job M. Kerns, aged 65 years, served as a corporal in Company C, Thirtieth Regiment Kentucky Volunteer Infantry, from November 2, 1863, to April 18, 1865 (1 year 5 months 16 days), and is now a pensioner under the act of July 14, 1862, at \$17 per month for disease of feet, result of frostbite, and disease of lungs, result of measles.

Address, Albany, Ky.

Board of surgeons, August 21, 1907, found disease of feet and disease of lungs, and rated at \$24 per month.

Medical testimony is that applicant suffers from frostbitten feet; has chronic catarrh, with catarrhal inflammation of throat and bronchial tubes; has cough, with a considerable expectoration of mucus; has also disturbance of kidneys; has rheumatism; is unable to do manual labor.

Other testimony shows that applicant has a house and lot, one cow, one horse, and one colt. It appears that his income is his pension.

An increase to \$30 a month is recommended.

H. R. 21822. Edward D. Ingersoll, aged 68 years, served as a private in Company D, Seventh Regiment Iowa Volunteer Infantry, from January 20, 1864, to July 12, 1865 (1 year 5 months 22 days), and is now a pensioner under the act of June 27, 1890, at \$12 per month for vertigo and headache, results of sunstroke, rheumatism, and disease of heart.

He was formerly pensioned under the act of July 14, 1862, at \$4 per month by reason of vertigo and headache, results of sunstroke.

Address, Clarksville, Mo.

Board of surgeons, April 4, 1894, found disease of heart and results.

Medical testimony is that applicant has paralysis of the left side; that he is unable to do manual labor, and that there is no hope for his recovery.

Other testimony is that applicant's support, aside from his pension, is furnished by his sons.

An increase to \$30 a month is recommended.

H. R. 21842. Annie Elizabeth Boyle, aged 59 years, is the widow of Patrick H. Boyle, who served as a second lieutenant in Company B, First Regiment Louisiana Cavalry, from August 1, 1862, to December 18, 1865 (two years nine months).

Soldier was pensioned under the general law at \$15 for gunshot wound of left knee. He died February 12, 1910. He and applicant were married May 2, 1869. She was pensioned under the act of April 19, 1908, at \$12, which she now receives.

Two neighbors testify that pensioner has no property nor income except her pension; that her family consists of one son and three daughters, none of whom is employed but a daughter, who is a stenographer; that this widow is not physically able or fitted to make a living by her own labor.

An increase to \$20 is recommended.

H. R. 21850. Basil Peterson, aged 51 years, is the helpless child of Thomas Peterson, who served as a private in Company F, One hundred and sixteenth Regiment Ohio Volunteer Infantry, and Company F, Sixty-fourth Regiment Ohio Volunteer Infantry, from August 21, 1862, to August 8, 1865.

The claimant's address is Elizabeth, W. Va.

It is alleged that claimant is without property or income, and that he is permanently helpless physically.

The soldier died on March 7, 1909. The mother of claimant died on August 2, 1895.

The claimant was born on June 16, 1860.

Dr. P. W. McClung describes the claimant's disability as being a malformation of the lower abdominal region and genito-urinary tract, whereby the urine is constantly discharged through a super-pubic opening, and around a projecting tumorlike mass, which causes the urine to run over his body and down both extremities continuously, keeping him ulcerated and giving rise to an odor which bars him from society, and that such condition has existed since birth. Above this protruding mass (around which the urine flows continuously) there is a second and larger protruding mass, whose covering is raw and red, appearing as a serous covering instead of integument. Below the point of escaping urine there is a rudimentary penis. Applicant is wholly and totally disabled for any labor or from earning a support.

Lay testimony shows that applicant has no property, no income, no means of support.

The soldier had a long and honorable career in service, being at one time a prisoner of war; at another time was wounded in battle.

Although this claim does not come under the provisions of existing laws, yet it is one where a just and liberal view of all the facts will justify us in granting the benefits of a special act.

A rating of \$12 per month is recommended.

H. R. 21866. Thomas Casey, aged 75 years, served as a private in Company C, Tenth Regiment Tennessee Volunteer Cavalry, from January 29, 1864, to August 1, 1865 (1 year 6 months and 2 days), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of disease of heart and rectum, rheumatism, total deafness of right ear, and severe of left ear, and general debility.

Address, Ooltewah, Tenn.

Board of surgeons, February 20, 1901, found mitral regurgitation, total deafness of right ear, and slight deafness of left, and general debility.

Medical testimony is that applicant's hearing is greatly impaired; he has valvular disease of the heart; his lower limbs are ulcerated so that he has to remain in his room all the time. He is incapable of doing any manual labor.

It appears that applicant has only a small home; his income is his pension.

An increase to \$30 a month is recommended.

H. R. 21873. William Arbogast, aged 64 years, served as a private in Independent Battery F, Pennsylvania Light Artillery, from January 30, 1864, to June 26, 1865 (1 year 5 months), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

Formerly pensioned under the general law at \$8, for rheumatism, which disability was shown on medical examination of January 12, 1910; also obesity and enlarged prostate.

Address, 1242 Irvin Avenue, Pittsburgh, Pa.

Dr. C. W. Wirts, April 15, 1912, testifies that pensioner by reason of chronic cystitis and arthritis is totally incapacitated for manual labor.

Pensioner and witnesses testify that he owns no real estate whatever or personal property, and has no income other than his pension. An increase to \$30 is recommended.

H. R. 21874. Joseph C. Carmean, aged 76 years, served as a sergeant in Company H, One hundred and forty-ninth Regiment Ohio National Guard Infantry, from August 12, 1862, to October 17, 1862, and May 2, 1864, to August 30, 1864 (1 year), and is now a pensioner under the act of February 6, 1907, at \$20 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of rheumatism and disease of heart and senile debility.

Address, Bloomingburg, Ohio.

Medical examination, March 2, 1903, shows rheumatism, disease of heart, lumbago, and senile debility.

Medical examination was corroborated by Dr. F. E. Hyer, March 18, 1912, who describes pensioner as suffering from sciatica, atrophy of gluteal muscles, his gait is ataxic and incoordinate, necessitating his undivided attention; he can not dress or undress himself, can not feed himself, must be helped into and out of bed, and needs a constant attendant.

He has no real or personal property, no income but his pension, and is under the constant care of his wife.

An increase to \$30 is recommended.

H. R. 21956. William H. Wilson, aged 72 years, served as a private in Company H, Sixty-third Regiment Ohio Volunteer Infantry, from December 23, 1861, to July 8, 1865 (3 years 6 months 15 days), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of disease of left testicle and rectum, rheumatism, disease of heart and lungs, and senile debility.

Address, Denver, Ohio.

Board of surgeons, May 16, 1906, found rheumatism, disease of heart, and bronchitis, disease of testicles, and senile debility.

Medical testimony is that applicant has had his right eye removed, and with the other eye he can only distinguish light from dark; also his arteries are in an atheromatous condition; has chronic bronchitis; is unable to do manual labor.

Other testimony is that applicant has no preproperty of any kind or character.

An increase to \$30 a month is recommended.

H. R. 21993. Emily L. Brown, aged 63 years, is the widow of Charles L. Brown, who served as a first lieutenant in Company G, One hundred and fourteenth Regiment New York Volunteer Infantry, from August 7, 1862, to June 8, 1865 (2 years 8 months 1 day).

Soldier was not pensioned.

Applicant is pensioned at \$12 per month under the act of June 27, 1890.

Address, 193 Greenup Street, Covington, Ky.

Applicant and soldier were married June 8, 1869.

Soldier died May 5, 1896.

There is testimony that the applicant has no property; her income is her pension.

Dr. S. H. Martin testifies that he has treated pensioner for the last two years for nervousness and recently for injury to coccyx and results therefrom; she is partially disabled from the above.

Two other physicians, May 7, 1912, declare she is not able to attend to her household duties and is not able to work.

An increase to \$20 a month is recommended.

H. R. 22001. Thomas N. Maple, aged 73 years, served as a private in Company F, Second Regiment Ohio Volunteer Infantry, from April 17, 1861, to July 21, 1861, and in Sixteenth Independent Battery, Ohio Volunteer Light Artillery, from August 20, 1861, to September 15, 1864, and in Company A, Forty-third Regiment Ohio Volunteer Infantry, from February 15, 1865, to July 13, 1865 (total service, 3 years 8 months 27 days).

Is now a pensioner under the act of February 6, 1907, at \$15 per month for age.

Was formerly pensioned under the act of June 27, 1890, at \$12 per month for rheumatism, catarrh, varicose veins of both legs, disease of heart, stomach, liver, and bowels; enlarged prostate gland and senile debility.

Address, Kenton, Ohio.

Board of surgeons, April 11, 1906, found catarrh, impaired hearing, varicose veins, disease of heart, rheumatism, and disease of digestive organs.

Medical testimony is that applicant has general muscular rheumatism, varicose veins of both legs, chronic catarrh, impaired hearing, and paralysis agitans; is unable to do manual labor.

Other testimony is that applicant has a small home, but no income but his pension.

An increase to \$30 a month is recommended.

H. R. 22025. John M. Buckley, aged 73 years, served as a corporal in Company E, First Regiment West Virginia Cavalry, from October 11, 1861, to July 8, 1865 (3 years 9 months), and is now a pensioner under special act at \$30, granted February 19, 1906. Formerly pensioned under the general law at \$17 for disease of heart and lungs, also rheumatism, all shown by medical examination of April 15, 1903.

Address, Parkersburg, W. Va.

Dr. C. E. T. Casto, December 28, 1911, says that for the last 10 years pensioner has been unable to do any manual labor. He has rheumatism and catarrh of the nose, and has no property, his income being not over \$80 a year.

Jesse Brown testifies that he has no stocks, bonds, or investments from which an income may be derived. Outside of his pension his income is less than \$100 a year. This is corroborated by R. B. Cross. Others testify that his income, exclusive of his pension, is from \$100 to \$125 a year.

An increase to \$40 a month is recommended.

H. R. 22026. Robert F. Evans, aged 67 years, served as a private in Company E, Eleventh Regiment West Virginia Volunteer In-

fantry, from July 9, 1862, to June 17, 1865 (2 years 11 months), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

Formerly pensioned under act of June 27, 1890, at \$6 for rheumatism and disease of heart, which was shown on medical examination February 15, 1899, as was also disease of digestive organs, piles, and impaired vision.

Address, R. F. D. No. 3, Parkersburg, W. Va.

Dr. A. K. Ross certifies, under date of March 12, 1912, that pensioner suffers from disease of heart and kidneys, which totally disable him for manual labor.

He and his witnesses say that he is a poor man; that he has no stocks, bonds, or investments from which he can derive any income; that his income from all sources over and above his pension does not exceed \$50 a year.

An increase to \$30 a month is recommended.

H. R. 22070. Waldo W. Williams, aged 69 years, served as a private in Company C, Forty-sixth Regiment Indiana Volunteer Infantry, from October 10, 1861, to July 13, 1864 (two years nine months three days; discharged on surgeon's certificate of disability), and is now a pensioner under the act of July 14, 1862, at \$24 per month on account of chronic diarrhea and resulting disease of liver and rectum.

Address, 1411 Buckeye Street, Terre Haute, Ind.

Board of surgeons, February 10, 1909, found chronic diarrhea, disease of liver, disease of rectum, and piles.

Medical testimony is that applicant, by reason of chronic dysentery and hemorrhoids, is unable to do manual labor.

From the testimony it appears that the applicant has no source of income but his pension.

An increase to \$36 a month is recommended.

H. R. 22076. Duncan Cox, aged 67 years, served as a private in Company H, Twenty-ninth Regiment New Jersey Volunteer Infantry, from August 30, 1862, to June 30, 1863 (10 months), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$10 per month by reason of disease of rectum, rheumatism, catarrh, and senile debility.

Address, Toms River, N. J.

Board of surgeons, May 16, 1906, found chronic proctitis, sciatica, and debility.

Medical testimony is that applicant, by reason of articular rheumatism, can not walk without assistance; is unable to do manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$24 a month is recommended.

H. R. 22128. Solanas Williams, aged 63 years, served as a private in Company A, Sixty-sixth Regiment Ohio Volunteer Infantry, from August 17, 1864, to July 15, 1865 (11 months), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

Formerly pensioned under act of June 27, 1890, at \$10 per month for rheumatism and disease of heart, the only disabilities shown on medical examination October 13, 1909.

Dr. A. B. Smith states that he suffers from a chronic intestinal indigestion, chronic myocarditis, which prevents him from doing manual labor.

Pensioner and witnesses testify that his only possession is a house and lot worth \$500, assessed at \$225 and mortgaged for \$140. His support is his pension.

He is also known around home as Samuel A. Williams.

Address, Wellington, Ohio.

An increase to \$24 is recommended.

H. R. 22137. Abram S. Esmay, aged 72 years, served as a quartermaster sergeant in the One hundred and forty-sixth Regiment New York Volunteer Infantry from August 22, 1862, to January 22, 1863 (5 months); discharged on surgeon's certificate of disability, and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of nervous prostration and piles.

Address, Chicago, Ill.

Board of surgeons, July 1, 1897, found nervous prostration and piles.

Medical testimony is that applicant suffers from a nervous trouble which manifests itself in heart, stomach, and bowel disturbances. He is unable to make a livelihood.

Other testimony is that applicant is in destitute circumstances, and on a number of occasions has received aid from fraternal societies of which he is a member.

Owing to his short service, the precedents of the committee do not warrant an increase above \$24 a month.

H. R. 22153. Malissa Lindsey, aged 77 years, is the widow of John A. Lindsey, who served as a private in Company A, Third Regiment United States Volunteer Infantry, from October 13, 1864, to November 29, 1865 (1 year and 1 month).

Soldier had a prior voluntary service in Company G, Thirty-eighth Regiment Tennessee Infantry, Confederate States Army, and was captured December 1, 1863, at Charleston, Tenn.

Applicant's claim under act of June 27, 1890, was rejected February 23, 1897, by reason of prior voluntary Confederate service. Application for reopening denied January 22, 1912.

The proper county officials of Etawah and Cherokee Counties certify that the records fail to show the assessment of any property against applicant.

Soldier died July 18, 1886.

There is evidence that she and soldier were married in 1868 and lived together until his death.

Claimant swears she is old, helpless, and has no property of any kind and is dependent upon the people of Charlotte, Ala., where she resides, for her support.

A pension of \$12 a month is proper.

H. R. 22172. William H. Miller, aged 73 years, served as a private in Company A, Eighty-ninth Regiment New York Infantry, from

August 20, 1861, to December 30, 1862 (1 year 4 months), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of July 14, 1862, at \$12 per month by reason of gunshot wound of right thigh.

Address, Sauk Center, Minn.

Medical examination, June 6, 1906, shows gunshot wound of right thigh, right hernia, and disease of heart.

Dr. G. E. McCann, March 20, 1912, finds gunshot wound of right thigh, hernia, and rheumatism. These disabilities render him unable to perform manual labor.

Citizens testify that he has no property of any kind, either real estate or personal.

An increase to \$30 is proper.

H. R. 22373. Arthur A. Jones, aged 69 years, served as a sergeant in Company C, One hundred and fifteenth Regiment Ohio Volunteer Infantry, from August 11, 1862, to May 20, 1865 (2 years 9 months 9 days), and is now a pensioner under the act of July 14, 1862, at \$17 per month for varicose veins of right leg.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of rheumatism and varicose veins of right leg.

Address, Warren, Ohio.

Board of surgeons, October 25, 1910, found disease of heart, varicose veins, and rheumatism, and rated at \$50 a month.

Medical testimony is that applicant has septic neuritis, involving especially the nerves of his right leg and right side generally; he has to be assisted in dressing and undressing and in going up and down stairs and is compelled to rely upon a cane for constant support. It appears from the various medical testimony that the applicant is in a deplorable condition.

The applicant was a prisoner of war, had an honorable and extended service, labors under grievous disabilities and age, and has no support but his pension. In view of the foregoing and that a board of surgeons has rated him at \$50 per month, an increase to \$40 per month is recommended.

H. R. 22383. William Nye, aged 65 years, served as a private in Knapp's Independent Battery E, Pennsylvania Volunteer Light Artillery, from September 8, 1864, to June 14, 1865 (9 months), and is now a pensioner under the act of July 14, 1862, at \$17 per month on account of chronic diarrhea and resulting piles.

Address, Springville, N. Y.

Application for increase rejected June 29, 1911, based on medical examination of June 9, 1911, which described the pensioned causes as well as rheumatism and disease of heart.

Dr. F. H. Stanbro, March 18, 1912, avers that pensioner is suffering from valvular disease of heart, with its sequellæ; dropsy of legs and abdomen; constant cough; poor appetite; shortness of breath; feeble pulse; and extreme prostration, being unable to walk or to dress himself. He is a hopeless invalid.

His neighbors depose that he owns a small cottage, which he occupies, the value of which is \$1,200. This cottage is everything the man has except \$130 in bank.

An increase to \$24 is warranted.

H. R. 22388. Albert List, aged 72 years, served as a private in Company D, Fifty-first Regiment Pennsylvania Volunteer Infantry, from August 31, 1861, to July 27, 1865 (3 years 10 months and 26 days), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of wound of head and disease of rectum.

Applicant was formerly pensioned under the act of July 14, 1862, at \$6 per month for gunshot wound of forehead.

Address, Lewisburg, Pa.

Board of surgeons, January 14, 1891, found injury to head and hemorrhoids.

Medical testimony is that applicant has enlarged prostate gland; has rheumatism and vertigo; is unable to do manual labor.

Other testimony is that applicant has no real or personal property. An increase to \$30 a month is recommended.

H. R. 22414. Abraham Myers, aged 71 years, served as a private in Company K, Seventh Regiment West Virginia Cavalry, from February 8, 1865, to August 1, 1865 (6 months), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

Applicant was formerly pensioned under act of June 27, 1890, at \$8 for bunion on right foot, rheumatism, and senile debility.

Address, Minden, W. Va.

Medical examination, September 6, 1905, shows pensioned causes as well as heart and lung troubles.

Dr. W. W. Tompkins, April 20, 1912, testifies that soldier has valvular disease of heart, poor appetite, insomnia, feet and ankles swell, and paralysis agitans of right side.

Neighbors testify that pensioner can not dress or undress himself, has no income but his pension, has no money or other means of support, that he can not put on his shoes or take them off and is unable to walk.

An increase to \$24 is recommended.

H. R. 22444. William W. McCumber, aged 75 years, served as a private in Company D, One hundred and sixteenth Regiment New York Volunteer Infantry, from August 18, 1862, to June 8, 1865 (2 years 9 months and 20 days), and is now a pensioner under the act of February 6, 1907, at \$20 per month on account of age.

He was formerly pensioned under the act of July 14, 1862, at \$17 per month by reason of gunshot wound of left hip.

Was formerly pensioned under the act of June 27, 1890, at \$12 per month for gunshot wound of left hip, rheumatism, disease of heart, and senile debility.

Address, Glenwood, N. Y.

Board of surgeons, August 11, 1909, found gunshot wound of left hip and disease of heart.

Medical testimony is that applicant has sciatic rheumatism of left side, with atrophy of gluteal muscles, and pain and tenderness along course of sciatic nerve; his arteries are atheromatous, heart's action weak and irregular; has general debility; is unable to do manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$30 is recommended.

H. R. 22445. James Hawkins, aged 66 years, served as a private in Company C, Eighth Regiment New York Heavy Artillery, and in Company I, Tenth Regiment New York Infantry, from January 4, 1864, to June 30, 1865 (one year and five months), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of July 14, 1862, at \$6 per month by reason of gunshot wound of left hand, shown by medical examination of August 19, 1896.

Address, 154 Division Street, Buffalo, N. Y.

Dr. A. B. Kinsley, March 29, 1912, testifies that soldier suffers from a crushed testicle and a swelling of considerable size on inner surface of the knee. He also has arteriosclerosis, disease of heart, rheumatism, and lumbago.

It is further shown that pensioner has no real estate or personal property, and no income other than his pension.

An increase to \$30 is recommended.

H. R. 22457. James S. Doolittle, aged 83 years, served as a sergeant in Company H, One hundred and fourth Regiment Illinois Volunteer Infantry, from August 13, 1862, to December 5, 1862 (3 months and 22 days; discharged on surgeon's certificate of disability), and is now a pensioner under the act of February 6, 1907, at \$20 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of total inability to earn a support by manual labor.

Was formerly pensioned under the act of July 14, 1862, at \$10 per month for left scrotal hernia.

Address, Chatsworth, Ill.

Board of surgeons, November 16, 1892, found complete oblique inguinal hernia, left side.

Medical testimony is that applicant has chronic laryngitis, with asthmatic tendencies, and also a very large inguinal hernia of his left side, for which he can not use a truss satisfactorily; is wholly unable to do manual labor.

Other testimony is that applicant has no real estate, and his personal property is worth about \$200.

On account of age and grievous disabilities, an increase to \$24 a month is recommended. Short service.

H. R. 22530. Mary C. Edwards, aged 68 years, is the widow of Robert W. Edwards, who served as a private and sergeant in Company C, One hundred and ninety-third Regiment Ohio Infantry, from March 3 to August 4, 1865 (5 months). Soldier was pensioned under act of June 27, 1890, at \$8. He died August 7, 1898. He and applicant were married June 25, 1867. She was pensioned from August 25, 1898, at \$8 under act of June 27, 1890, and at \$12 from April 19, 1908. Until July 22, 1904, she also received \$2 a month for a minor child.

Dr. A. Rhu, her physician, says that her physical condition is such that she is unfit to do manual labor.

Pensioner and her witness depose that she does not possess any estate and her personal property consists of household goods of little value, and there is no one legally bound for her support.

An increase to \$20 is recommended.

Her address, 1517 East Center Street, Marion, Ohio.

H. R. 22540. Jesse Dorsett, aged 68 years, served as a private in Company D, Third Regiment Missouri Volunteer Infantry, from October 4, 1861, to November 22, 1864 (3 years 1 month 18 days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$8 per month by reason of rheumatism, disease of respiratory organs and rectum, and general debility.

Was formerly pensioned at \$6 per month under the act of July 14, 1862, for piles.

Address, Louisiana, Mo.

Board of surgeons, October 17, 1906, found piles and disease of eyes.

Medical testimony is that applicant is feeble and very nervous, with bad heart; has the appearance of a decrepit old man; it appears that he is unable to do manual labor.

Other testimony is that he has no property and no income but his pension.

An increase to \$30 a month is recommended.

H. R. 22559. John M. Burson, aged 65 years, served as a private in Company F, Fifty-eighth Regiment Illinois Volunteer Infantry, from March 22, 1865, to March 21, 1866 (1 year), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$8 per month by reason of chronic rheumatism and disease of rectum.

Address, Dodge City, Kans.

Board of surgeons, June 21, 1899, found pensioned causes.

Medical testimony is that applicant has chronic muscular rheumatism and arteriosclerosis and is unable to do manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$30 a month is recommended.

H. R. 22602. Kenton Core, aged 74 years, served as a private in Company A, Sixtieth Regiment Ohio Volunteer Infantry, from October 10, 1861, to November 10, 1862 (1 year and 1 month), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$10 per month by reason of rheumatism, disease of heart, chronic diarrhea, and disease of rectum.

Address, Greenfield, Ohio.

Board of surgeons, April 15, 1903, found rheumatism, chronic diarrhea, piles, and disease of rectum and eyes.

Medical testimony is that applicant has chronic organic heart disease and chronic dysentery and is unable to do manual labor.

It appears that applicant has no income but his pension and what is given him by his son and daughter.

An increase to \$30 a month is recommended.

H. R. 22622. William Tipton, aged 66 years, served as a private in Company I, One hundred and sixteenth Regiment Indiana Volunteer Infantry, from July 8, 1863, to May 8, 1864, and in Company C, Seventeenth Regiment Indiana Volunteer Infantry, from September 30, 1864, to May 8, 1865 (21 months), and is now a pensioner under the act of February 6, 1907, at \$12 per month.

He was formerly pensioned under the act of July 14, 1862, at \$10 per month by reason of disease of mouth and skin, results of scurvy.

The soldier's address is Lawrence, Kans.

As an additional disability soldier alleges rheumatism, rendering his left shoulder and arm nearly useless. Disability originated in service while a prisoner of war. He has no property, no income besides his pension, and is wholly unable to labor.

The correctness of soldier's allegations is fully established by competent lay and medical evidence.

The board at Wichita, Kans., July 5, 1911, shows soldier to suffer with results of scurvy and rheumatism.

A rating of \$30 per month is recommended.

H. R. 22624. Benjamin Butler, alias Benjamin Bulison, aged 73 years, served as an undercook in Company B, Second Regiment Iowa Volunteer Infantry, from April 18, 1864, to July 12, 1865 (1 year 2 months 24 days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

Was formerly pensioned under the act of June 27, 1890, at \$10 per month for rheumatism, disease of heart and rectum, and senile debility.

Address, Hutchinson, Kans.

Board of surgeons, April 4, 1906, found rheumatism and resulting disease of heart, disease of rectum, and general debility.

Medical testimony is that applicant has disease of heart, dyspepsia, and myalgia; has rheumatism, is in a generally debilitated condition, and is unable to do manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$30 a month is recommended.

H. R. 22630. Isaac Baschore, aged 68 years, served as a private and sergeant in Company M, One hundred and second Regiment Pennsylvania Volunteer Infantry, from March 31, 1864, to June 28, 1865 (1 year 2 months and 27 days), and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of loss of sight of left eye and imperfect sight of right eye.

Address, Versailles, Mo.

Board of surgeons, December 10, 1890, found pensioned causes.

Medical testimony is that applicant is so nearly blind that he can only distinguish light and walk; is unable to do manual labor.

Applicant's property is a dwelling house worth about \$850 and his income is his pension.

An increase to \$30 a month is recommended.

H. R. 22662. Noah Switzer, aged 67 years, served as a private in Company E, One hundred and ninety-first Regiment Ohio Infantry, from March 2 to August 27, 1865 (6 months and 25 days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of July 14, 1862, at \$8 per month by reason of chronic diarrhea.

Address, R. F. D. No. 7, Millersburg, Ohio.

Medical examination, February 7, 1906, shows rheumatism and disease of heart and liver.

Dr. S. P. Wise, March 28, 1912, describes pensioner as a feeble old man; his heart in a state of senile degeneration; he has double inguinal hernia; and is totally disabled from doing even the lightest work.

Pensioner's wife is 75 years old, she owns 17 acres of rough, stony land, 9 of which are cultivated; this property is their home. The county auditor says this land is assessed to soldier's wife at \$510.

The little stuff they raise thereon and his pension is their only support.

An increase to \$24 is proper.

H. R. 22673. Daniel Yetts, aged 65 years, served as a private in Company I, Two hundred and tenth Regiment Pennsylvania Volunteer Infantry, from September 13, 1864, to June 17, 1865 (9 months), and is now a pensioner under the act of July 14, 1862, at \$12 per month on account of gunshot wound of right side and back.

The claimant's address is No. 7 East Park Place, Detroit, Mich.

He declares he has no property or income and that he is totally incapacitated from earning a living.

Medical evidence shows that the soldier—in addition to serious disability from gunshot wound—suffers with disease of heart, and is slightly paralyzed. Is totally disabled for any manual labor.

Lay testimony shows that soldier has no property or income; is entirely unfitted for any labor; that he is very feeble and weak from the effects of gunshot wound, disease of lungs, and disease of heart.

The last medical examination was made by board at Detroit, Mich., on January 31, 1906; disclosed varicocele, hemorrhoids, emaciation, and weakness of action of heart.

The soldier's condition warrants a rating of \$30 per month.

H. R. 22722. Mary C. Martin, aged 59 years, is the widow of Nelson Martin, who served as a corporal in Company E, Fourteenth Regiment West Virginia Volunteer Infantry, from August 8, 1862, to June 27, 1865 (2 years and 11 months).

Address, Ravenswood, W. Va.

Soldier was pensioned under act of February 6, 1907, at \$15; he died January 30, 1912. He and applicant were married December 23, 1890. The date of their marriage is a bar to pension under act of April 19, 1908, and as he died of acute pneumonia she has no title under the general law. She applied under act of April 19, 1908, and was rejected.

There is evidence submitted that she has no means of support, is unfit for manual labor. She never had a marriage prior to that with soldier, nor had the soldier been previously married.

The testimony shows that applicant can not do manual labor and has no property.

Following numerous precedents an allowance of \$12 a month is proper.

H. R. 22746. Rufus McCutcheon, aged 69 years, served as a private in Company D, Thirty-fifth Regiment Iowa Volunteer Infantry, from July 19, 1862, to May 24, 1865 (2 years and 10 months), and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of disease of respiratory organs and injury to left shoulder.

Address, Zela, W. Va.

Dr. C. A. Fleger and Dr. J. C. Dunbar operated upon pensioner for fistula in ano, but it did not effect a cure and he is still afflicted with fistula and incapacitated for labor.

Medical examination, March 6, 1892, rated pensioner for asthma, injury to left shoulder, and results of mumps.

Lay testimony shows that pensioner is a physician and can practice only to a limited extent owing to his disabilities.

The soldier says he owns one-half of 15 acres of wild land worth not more than \$175, and personal property to the extent of \$250.

The Member introducing the bill says its value—the mountain land—is not worth to exceed \$100, not worth clearing; and his personal property is worth about \$100.

His income is his pension.

An increase to \$30 is proper.

H. R. 22756. Charles G. Scott, aged 68 years, served as a private in Company B, Fourth Regiment United States Volunteer Infantry, from October 14, 1864, to June 18, 1866 (1 year and 9 months), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

Formerly pensioned under act of June 27, 1890, at \$10 for diabetes mellitus and disease of heart.

Medical examination, October 19, 1904, shows obesity and the pensioned causes.

Address, Big Stone Gap, Va.

Dr. W. G. Painter, May 10, 1912, says that on account of his advanced age, an organic heart disease, arteriosclerosis, and a dropsical condition he is unable to earn a support.

The Member introducing the bill and others say he is in destitute circumstances, owns no property, and only has his pension for a support.

An increase to \$30 is recommended.

H. R. 22761. Emma C. Smith, aged 65 years, is the widow of Onesimus M. Smith, who served as a private in Companies B and E, Eighty-third Regiment Pennsylvania Infantry, from February 24, 1864, to December 9, 1864 (10 months). Soldier was pensioned under the general law at \$4 for partial paralysis of right arm and shoulder. He died June 26, 1897. He and applicant were married November 9, 1870.

She was pensioned from July 31, 1897, under the act of June 27, 1890, at \$8, and from April 19, 1908, at \$12, which she now receives.

Dr. L. G. McElwee, April 18, 1912, has treated pensioner for several years past for cardiac asthma, dilated heart, rheumatism,

cystitis, an anemia. She is in a deplorable condition, unable to earn anything by work, and has an invalid daughter depending upon her.

Pensioner and her witnesses say she has no property and depends entirely upon her pension of \$12 a month.

An increase to \$20 is recommended.

H.R. 22780. John R. Perkins, aged 67 years, served as a private and corporal in Company B, Seventh Regiment Indiana Volunteer Cavalry, from August 18, 1863, to February 18, 1866 (2 years and 6 months), and is now a pensioner under the act of July 14, 1862, at \$17 per month on account of chronic diarrhea and resulting disease of rectum, disease of lungs, and injury of right wrist and hand.

Address, Winchester, Ind.

Board of surgeons, August 12, 1908, found pensioned causes.

Medical testimony is that applicant has rheumatism, bronchial disease, neuralgia, and kidney disease; has hemorrhages from kidneys; is wholly unable to perform manual labor.

The Member introducing the bill states that the applicant has no property or income sufficient for his support.

An increase to \$30 a month is recommended.

H.R. 22789. Loviah S. Osborn, aged 67 years, is the widow of George F. Osborn, who served as a private in Company K, Sixth Regiment Michigan Heavy Artillery, from September 1, 1861, to November 4, 1861, and from June 3, 1864, to August 20, 1865 (1 year and 4 months). Soldier was pensioned under act of June 27, 1890, at \$12.

This applicant and soldier were married March 12, 1863. He died January 7, 1907. She was pensioned under act of June 27, 1890, at \$8 from January 21, 1907, and at \$12 from April 19, 1908.

Address, 263 Eighteenth Street, Detroit, Mich.

Dr. E. A. McCash says applicant is suffering from old age, chronic dyspepsia and defective eyesight; that her daughter, Jennie, whom she supports, is paralyzed in her right arm and is helpless and unable to do anything for herself or her mother.

There is evidence showing that her daughter is helpless; that the mother is broken in health and that they are assisted by the neighbors; that her only income—her pension—barely pays the rent, leaving very little for medicine and necessities.

An increase to \$20 is justified to this broken, destitute war widow.

H. R. 22804. Rachel A. Houck, aged 76 years, is the widow of Jacob W. Houck, who served as a private in Company A, Purnell Legion, Maryland Infantry, from November 2, 1861, to November 8, 1862 (1 year).

Address, 53 H Street NW., Washington, D. C.

Soldier was pensioned under act of February 6, 1907, at \$20 on account of age. He died March 13, 1910. He and this applicant were married June 18, 1874. She is pensioned from March 21, 1910, at \$12, act of April 19, 1908.

Two physicians testify that ills incident to her age—weak heart, anemia, swelling of extremities, vertigo, and general debility—render her physically unable to do any work.

Lay testimony shows she has no home, property, or support but her pension of \$12 a month, which will not provide the necessities of

life, and unless her pension is increased she will become a public charge.

An increase to \$20 is recommended.

H. R. 22811. William W. Thornton, aged 72 years, served as a private in Company A, Eighteenth Regiment Indiana Infantry, from August 16, 1861, to June 12, 1865 (3 years and 10 months), and is now a pensioner under the act of July 14, 1862, at \$30 per month on account of rheumatism and resulting disease of heart.

Address, Kansas City, Kans.

Medical examination, January 20, 1909, rates soldier \$50 on rheumatism and disease of heart, \$22 on deafness, and \$17 on impaired vision, and further decided that he required frequent and periodical attendance of another person.

Dr. J. A. Mitchell, April 10, 1911, has treated soldier four years for mitral obstruction, rheumatism; that he has impaired vision, muscular and vocal tremor, loss of teeth, and great shortness of breath.

It is further shown by lay testimony that he has no real or personal property, no support but his pension, and needs the care and assistance of some one constantly.

An increase to \$50 is warranted.

H. R. 22841. Perry Black, aged 67 years, served as a private and bugler in Company F, Twelfth Regiment Missouri Cavalry, from October 5, 1863, to April 9, 1866 (2 years and 6 months), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$8 per month by reason of rheumatism and catarrh.

Address, Pierce City, Mo.

Medical examination, June 3, 1903, discloses rheumatism, catarrh, cystitis, heart disease, deafness, disease of bowels, and general debility.

Dr. M. C. Hagler, March 25, 1912, finds pensioner suffering from chronic sciatic rheumatism, catarrh of head, kidney and bladder trouble, and he is unable to stand erect or to walk without a cane, and is unable to do any work.

Pensioner and three other affiants testify that the only property he has is a little home, worth \$300 or \$400; has no income other than his pension, and he is totally unable to do any kind of work.

An increase to \$30 is recommended.

H. R. 22854. Lawrence Hoffman, aged 67 years, served as a private in Company K, One hundred and eighty-seventh Regiment Ohio Volunteer Infantry, from February 14, 1865, to January 20, 1866 (11 months and 6 days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$10 per month by reason of disease of heart and eyes and general debility.

Was formerly pensioned under the act of July 14, 1862, at \$4 per month for disease of respiratory organs.

Address, Beury, W. Va.

Board of surgeons, May 2, 1906, found disease of heart, catarrh of head and throat, disease of eyes, and general and senile debility.

Medical testimony is that applicant has partial hemiplegia of the right side, and is unable to do manual labor.

Other testimony is that applicant's property consists of household goods only, and that his income is his pension.

An increase to \$24 a month is recommended.

H. R. 22887. Lorenzo D. Barnhart, aged 68 years, served as a private in Company B, One hundred and tenth Regiment Ohio Infantry, from September 3, 1862, to June 25, 1865 (2 years and 10 months), and is now a pensioner under the act of July 14, 1862, at \$30 per month on account of chronic rheumatism and resulting disease of heart and nasopharyngeal catarrh. Increase denied by Bureau of Pensions March 27, 1912.

Address, Greenville, Ohio.

Was examined February 29, 1912, and board of surgeons reports disability from pensioned causes entitles him to \$50 a month.

Dr. J. M. Anderson reports pensioner so afflicted with mitral regurgitation, with enlargement of heart, that he is unable to lie down at night, and is also suffering from rheumatism.

The house in which he lives belongs to his wife, and, as shown by the affidavits of neighbors, pensioner has no real or personal property and has only his pension of \$30 a month for support.

An increase to \$40 is warranted.

H. R. 22915. Otto Marolotz, aged 74 years, served as a private in Company M, First Regiment Ohio Volunteer Light Artillery, from January 1, 1862, to May 17, 1865, and as second lieutenant in Company E, First Regiment Ohio Volunteer Light Artillery, from May, 1865, to June 10, 1865 (total service, 3 years 5 months and 9 days), and is now a pensioner under the act of July 14, 1862, at \$17 per month on account of gunshot wound at right leg and left foot, and shell wound of head, and right inguinal hernia complete.

Address, Geneva, Ind.

Board of surgeons, January 25, 1910, found gunshot wound of right leg and left foot, right inguinal hernia complete, and paralysis of right side; and shell wound of head. The board rated at \$30 per month and found that the applicant requires the constant attention of another person.

Medical testimony is that applicant is absolutely helpless; is unable to feed himself; and is cared for the same as an infant.

Owing to soldier's long and honorable service and utterly helpless and destitute condition, with not income but his pension, an increase to \$50 a month is recommended.

H. R. 22929. Robert C. Cole, aged 65 years, served as a private in Battery H, Third Regiment New York Volunteer Light Artillery, from September 5, 1864, to June 24, 1865 (9 months and 19 days), and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of disease of rectum.

Address, Coles, Wis.

Board of surgeons, December 5, 1894, found pensioned cause.

Medical testimony is that applicant has chronic diarrhea and piles; the piles ulcerate and bleed freely. He also suffers greatly from

- rheumatism; left leg shows necrosis of the tibia; is unable to do manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$24 a month is recommended.

H. R. 22931. Edward Lenihan, aged 68 years, served as a private in Company I, One hundred and forty-fifth Regiment Pennsylvania Volunteer Infantry, from August 15, 1862, to May 31, 1865 (2 years and 9½ months), and is now a pensioner under the act of July 14, 1862, at \$16 per month on account of rheumatism and disease of heart.

Address, R. F. D. No. 1, Reading, Ohio.

Medical examination, February 7, 1912, discloses disease of heart, arteriosclerosis, rheumatism, enlarged prostate, insomnia, bad teeth, and chronic pharyngitis, and rated him \$24. Increase rejected by Pension Bureau March 14, 1912.

Dr. G. W. Davis declares his ailments are growing worse, and it is very hard for him to earn a living, as he is old, has myocarditis, or palpitation of the heart.

Two neighbors testify that soldier owns no real or personal property, but his wife owns a house and 1½ acres of ground, the whole worth \$300; that on this lot they raise about \$50 worth of truck, aside from which soldier's pension is their only means of support.

An increase to \$36 is recommended.

H. R. 22970. Burwell C. Crosthwait, aged 67 years, served as a private in Company D, Fifty-third Regiment Kentucky Volunteer Infantry, from August 15, 1864, to October 9, 1865 (1 year and 2 months), and is now a pensioner under the act of June 27, 1890, at \$— per month on account of catarrh, rheumatism, dyspepsia, and disease of rectum.

Address, Corinth, Ky.

Medical examination, April 5, 1905, shows the pensioned causes, also heart trouble and impaired hearing and vision.

Dr. R. E. Limerick, April 3, 1912, says that owing to rheumatism and kidney disease pensioner is totally disabled for the performance of manual labor.

Neighboring farmers testify that pensioner owns 100 acres of land, worth, according to their judgment, from \$5 to \$7 an acre, and that his personal property will not amount to more than \$200.

An increase to \$24 may be allowed.

H. R. 22991. Mary E. Carr, aged 64 years, is the widow of Morgan Carr, who served as a private in Company F, One hundred and ninety-eighth Regiment Ohio Infantry, from April 6, 1865, to May 8, 1865 (33 days).

Soldier was pensioned under the general law at \$17 for rheumatism and resulting disease of heart. Soldier died August 11, 1905. The pension accrued at his death was paid to his widow, this applicant. She and soldier were married June 14, 1870.

Her claim under the general law was rejected because soldier's fatal disease of stomach was not accepted as the result of his pensioned disabilities or otherwise shown to be due to his military service. Her claim under act of April 19, 1908, was rejected—insufficient service.

Address, Zanesville, Ohio.

The family physician and a neighbor say that she is unable to earn a living at manual labor.

Applicant and a neighbor say she has a house and lot worth \$2,500, and the neighbors say it is mortgaged, but no amount stated; she has no income.

An allowance of \$12 a month is permitted.

H. R. 23016. David B. Ziegler, aged 80 years, served as a sergeant in Company C, One hundred and seventy-eighth Regiment Ohio Volunteer Infantry, from August 15, 1864, to June 29, 1865 (10 months 14 days), and is now a pensioner under the act of February 6, 1907, at \$20 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of total inability to earn a support by manual labor.

Address, Chillicothe, Ohio.

Board of surgeons, November 6, 1901, found rheumatism, old age, loss of teeth, and general debility.

Medical testimony is that applicant has rheumatism and diarrhea; has frequent attacks of vertigo; is unable to do manual labor.

Other testimony is that applicant has no means of support aside from his pension.

An increase to \$24 a month is recommended. Short service.

H. R. 23017. Cornelius W. Robinson, aged 64 years, served as a private in Company G, Eighth Regiment Wisconsin Volunteer Infantry, from February 3, 1865, to September 5, 1865 (7 months 2 days), and is now a pensioner under the act of July 14, 1862, at \$12 per month for chronic diarrhea and rheumatism.

He was formerly pensioned under the act of June 27, 1890, at \$8 per month by reason of rheumatism, disease of lungs, and diarrhea.

Address, Janesville, Wis.

Board of surgeons, May 3, 1911, found chronic diarrhea and rheumatism.

Medical testimony is that applicant has pernicious anemia and ataxia; is confined to his bed most of the time; is unable to do manual labor.

Other testimony is that applicant has no property; it appears that his income is his pension.

Short service. An increase to \$24 a month is recommended.

H. R. 23019. Noah Brown, aged 78 years, served as a captain in Company H, Thirty-first Regiment Indiana Volunteer Infantry, from September 5, 1861, to September 12, 1864 (3 years and 7 days), and is now a pensioner under the act of February 6, 1907, at \$20 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of rheumatism, disease of heart, stomach, and liver, and wound of left arm.

Address, Owensburg, Ind.

Board of surgeons, June 11, 1902, found gunshot wound of left arm, mumps and results, diarrhea and disease of rectum, disease of heart, and rheumatism.

Medical testimony is that applicant is suffering from a general nervous breakdown. From testimony it appears that he is helpless

and that a guardian has been appointed for him by the circuit court of Greene County, Ind.

The applicant is in straitened circumstances.

An increase to \$36 a month is recommended.

H. R. 23048. Joshua Pack, aged 73 years, served as a corporal in Company D, Tenth Regiment Tennessee Cavalry, from January 1, 1864, to August 1, 1865 (1 year and 7 months), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of injury of breast and senile debility, as shown by medical examination of June 5, 1907.

Address, Isabella, Tenn., which is also the address of his guardian, John Clark.

The pensioner and his wife are living separate and apart, due, as appears from the evidence, to the fact that the wife has deserted the husband because he is insane.

As shown by the evidence the applicant is old, insane—a guardian having been appointed for him—and is in destitute circumstances.

In view of all the circumstances of the case, an increase to \$30 a month is recommended, the pension at the rate of \$30 a month to be paid to Joshua Pack's guardian, John Clark, to be used by said guardian for the benefit of said Joshua Pack, free from any claim of the wife of said Joshua Pack.

H. R. 23055. Holmes C. Grant, aged 64 years, served as a private in Company F, Thirty-fifth Regiment New Jersey Volunteer Infantry, from February 25, 1865, to July 20, 1865 (4 months and 25 days), and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of rheumatism, disease of heart, and right hydrocele.

Address, Station B, Long Branch City, N. J.

Board of surgeons, July 6, 1910, found rheumatism, right hydrocele, and a nervous breakdown, which the board stated it was unable to precisely diagnose. The board rated at \$17 per month on account of the helpless condition of the applicant.

Medical testimony is that applicant has a very large hydrocele; has paralysis of the entire right side; is permanently incapacitated for doing manual labor.

Other testimony is that applicant is very poor and depends for support, to a considerable extent, upon what his daughters can contribute from their earnings as seamstresses.

An increase to \$24 is recommended, in view of the paralysis with which the applicant is afflicted.

H. R. 23057. James Warren Brown, alias James Warren, aged 76 years, served as a second lieutenant in Companies D and K, Third Regiment Massachusetts Volunteer Light Artillery, from July 13, 1863, to July 1, 1865 (2 years less 12 days), and is now a pensioner under the act of February 6, 1907, at \$20 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of total inability to earn a support by manual labor.

Address, Somersworth, N. H.

No report from a board of surgeons on file.

Medical testimony is that applicant has beginning atheroma of arteries; cataract of both eyes, being nearly blind in left eye; and nearly deaf in both ears; there is some impairment of mental condition; has enlarged prostate gland. The applicant is totally unable to do manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$30 a month is recommended.

H. R. 23058. William J. Miller, aged 69 years, served as a private in Company B, Twenty-fifth Regiment Iowa Infantry, from August 13, 1862, to June 6, 1865 (2 years 10 months), and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of disease of heart and urinary organs, shown by medical examination of October 8, 1890.

Address, Geneva, Kans.

Dr. C. S. Martin and E. D. Jones, April 4, 1912, testify that soldier is totally incapacitated for physical labor by reason of an inguinal hernia.

Dr. E. D. Jones says he has no means of support only his pension.

Pensioner testifies that he has a small home and four lots of the value of \$300.

Many neighbors aver that on account of his ill health and the death of his wife he has become so financially reduced that he has only his pension for support, and he has a little home which yields no income.

An increase to \$30 a month is recommended.

H. R. 23059. Alexander Parks, aged 72 years, served as a private in Company D, One hundred and eighth Regiment Illinois Volunteer Infantry, from August 20, 1862, to August 5, 1865 (3 years less 15 days), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of slight deafness of both ears and disease of rectum.

Address, Fort Scott, Kans.

Board of surgeons, July 8, 1902, found severe deafness in both ears, and rated at \$22 per month.

Medical testimony is that applicant, by reason of deafness, can not perform manual labor.

Other testimony is that applicant has no property but a house and lot valued at \$1,000, on which there is an indebtedness of \$700. His income is his pension.

An increase to \$30 a month is recommended.

H. R. 23061. Caleb W. Story, aged 72 years, served as a private in Company G, Tenth Regiment New York Volunteer Cavalry, from May 16, 1861 to May 22, 1863, and from January 27, 1864, to May 26, 1865 (three years five months), and is now a pensioner under special act at \$24 per month from May 23, 1902. Formerly pensioned under the general law at \$12 for gunshot wound of left shoulder and lung.

Address, El Campo, Tex.

Medical examination. November 21, 1900, shows pensioned disabilities and indigestion.

Dr. J. D. Oldham, April 3, 1912, testifies that he has treated pensioner for stomach and heart trouble and other disabilities, and he is able to do very little work.

Pensioner and his witness testify that he receives a small compensation from the church he serves, and his age and infirmities will compel him to give up that work. He owns no home or other property, and he and his wife can not live upon his present pension.

Soldier was prisoner of war for six months.

An increase to \$36 is allowed.

H. R. 23131. Hope M. Craig is the widow of William A. Craig, who served as a private in Company L, Eighty-third Regiment New York Volunteer Infantry, from September 16, 1861, to December 13, 1862, when killed at the battle of Fredericksburg, Va.

Applicant was pensioned at \$8 from soldier's death and \$2 each for four children from July 25, 1866, until each became 16. She now receives \$12 a month.

Address, Merrill, Wis.

Applicant and soldier were married August 27, 1850.

Applicant has sustained a fracture of her hip, which, with her great age, disqualifies her for any labor.

Witnesses state that her pension and the assistance rendered by her children are her only support.

Of great age and a "war widow," she is entitled to an increase to \$20 a month.

H. R. 23168. Stephen L. Freel, aged 73 years, served as a corporal in Company C, One hundred and fifty-third Regiment Indiana Volunteer Infantry, from January 30 to September 11, 1865 (seven and one-half months), and is now a pensioner under the act of February 6, 1907, at \$15 per month.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of diarrhea, disease of rectum, and enlarged prostate gland.

He was originally pensioned under act of July 14, 1862, at \$8 per month on account of diarrhea and piles.

His address is Huntington, Ind.

The medical and lay testimony filed in support of this claim shows that soldier is totally disabled for manual labor on account of diarrhea and piles; that he has no property; that he has no income except his pension; that he is in necessitous circumstances.

The medical board at Huntington, Ind., on February 6, 1907, reported soldier to be anemic, stomach distended and tympanitic, bowels tympanitic and tender, abdomen bloated, sphincter contracted and retracted, cystitis, prostate gland hypertrophied to three times natural size; soldier emaciated.

His advanced age, his destitution, and the gravity of his disabilities will justify a rating of \$24 per month.

H. R. 23173. Henry J. Van Iderstine, aged 70 years, served as a private in Company E, Twenty-second Regiment New Jersey Infantry, from September 1, 1862, to June 25, 1863 (9 months), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

Formerly pensioned under act of June 27, 1890, at \$12 for sciatica and partial deafness, result of catarrh.

Address, Bradley Beach, N. J.

No medical examination since September 26, 1894, which showed the pensioned disabilities above, also rheumatism, fistula in ano, and heart trouble.

Dr. J. F. Ackerman, April 11, 1911, found chronic articular rheumatism, hernia of right side, valvular heart trouble, and proctitis.

Neighbors say he is unable to work, and that his financial condition is very poor; that his wife is sickly with lung and spinal trouble; that their only support is his pension; and that they have no children.

An increase to \$24 is recommended.

H. R. 23196. Michael Rudisell, aged 81 years, served as a private in Company D, Fifth Regiment Ohio Volunteer Cavalry, from September 12, 1862, to June 9, 1865 (2 years 8 months and 27 days), was a prisoner of war, and is now a pensioner under the act of July 14, 1862, at \$24 per month on account of disease of eyes and rheumatism and resulting disease of heart.

Address, Cleves, Ohio.

Board of surgeons, May 23, 1906, found general rheumatism and resulting disease of heart, and rated at \$30 per month.

Medical testimony is that applicant has organic heart disease (mitral regurgitation) and chronic diarrhea and rheumatism. Is unable to do manual labor.

Other testimony is that applicant has no means of support but his pension and what is contributed to him by his son and daughter from their earnings.

An increase to \$36 a month is recommended.

H. R. 23230. Osmer A. Talmage, aged 67 years, served as a corporal in Company K, Tenth Regiment Connecticut Volunteer Infantry, from June 4, 1862, to June 9, 1865 (3 years and 5 days), and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of rheumatism and resulting disease of heart and disease of urinary organs.

Address, 126 Monroe Street, New Haven, Conn.

Board of surgeons, January 14, 1892, found chronic rheumatism, heart disease, and disease of bladder.

Medical testimony is that applicant has chronic cystitis, chronic prostatitis, chronic endocarditis, and general debility; is unable to do manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$30 a month is recommended.

H. R. 23249. Robert L. Kirkwood, aged 67 years, served as a private in Company D, One hundred and forty-seventh Regiment Indiana Volunteer Infantry, from February 6 to August 4, 1865 (5 months and 28 days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of July 14, 1862, at \$6 per month by reason of disease of respiratory organs.

Address, Eaton, Ind.

Board of Surgeons, August 9, 1899, found disease of respiratory organs, including nasopharyngeal catarrh and severe deafness of right ear, injury to right elbow, and rheumatism.

Medical testimony is that applicant has bronchitis, rheumatism, and lumbago; has had two strokes of paralysis; is unable to do manual labor.

Other testimony is that applicant has a home, but has no income but his pension.

An increase to \$24 a month is recommended. Short service.

H. R. 23275. Adoniram J. R. Lohr, aged 66 years, served as a private in Company B, Twenty-eighth Regiment Pennsylvania Volunteer Infantry, from February 13, 1864, to July 18, 1865 (1 year 5 months and 5 days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$10 per month by reason of rheumatism, disease of heart, chronic diarrhea, and disease of rectum.

Address, 1218 Eighth Avenue, Greeley, Colo.

Board of surgeons, November 7, 1906, found disease of heart, rheumatism, loss of teeth, and disease of liver and stomach.

Medical testimony is that applicant has frequent attacks of inflammatory rheumatism; there is a condition of chronic osteoarthritis and deformity, especially of the left knee and the right hand; there is some valvular disease of the heart; is unable to do manual labor.

Other testimony is that aside from his home the applicant has no property and no income but his pension.

An increase to \$30 a month is recommended.

H. R. 23285. Sarah M. Spence, aged 64 years, is the former widow of John M. Ray, who served as a corporal in Company C, Forty-seventh Regiment Indiana Volunteer Infantry, from October 8, 1861, to October 23, 1865 (48½ months).

The claimant's address is Berne, Ind.

The claimant married the soldier on October 23, 1865, the day of his muster out from service. Soldier died September 22, 1871. The widow was remarried on November 26, 1872, to one Robert M. Spence, who died May 7, 1879.

Inasmuch as she was not the wife of the soldier during the term of his service in the Army, although she married him the same day he was discharged, she does not come under the provisions of the act of March 3, 1901. She is not entitled under act of April 19, 1908, because she had remarried prior to the passage of said act and prior to filing of her claim.

Medical evidence shows that the claimant is virtually helpless physically. She weighs 240 pounds; suffers with chronic bronchitis, goitre, and chronic synovitis of knee joint. She is unable to get around her home without crutches. Her heart is affected.

She makes her home in a little house owned by herself, and which is worth about \$600. Her children by the soldier have to provide a living for her and take care of her. She is dependent on them for the necessaries of life.

There are features in this case, as shown, that bring this applicant within the intent of special legislation. A long, honorable service

of over four years in the Army by the soldier; the assumption of marital relations with applicant on the day of soldier's discharge, and continuation of such relations until the time of his death; the present physical helplessness of the applicant; the fact that she is dependent on others for her care and keeping.

A rating of \$20 per month is recommended.

H. R. 23287. Emma Chapman, aged 57 years, is the widow of Hugh Chapman, who served as a private in Company H, Thirteenth Regiment United States Infantry, from December 29, 1864, to December 29, 1867 (3 years).

Soldier was pensioned at \$20, act February 6, 1907.

He died December 3, 1908. He and pensioner were married December 25, 1871.

She is pensioned under act April 19, 1908, at \$12.

Address, 3009 Emmett Street, Omaha, Nebr.

Three physicians testify that pensioner is suffering from arthritis deformans, and has been for years, which totally and permanently incapacitates her for work of any kind. Many of the joints of her body are dislocated, and all small joints are deformed and enlarged. She is in such a condition that she requires the assistance of a visiting nurse; she is unable to dress herself.

The Member introducing the bill certifies that she has no income other than her pension, and is possessed of no property, real or personal, and is dependent upon the charity and kindness of friends.

An increase to \$20 is warranted.

H. R. 23305. John P. Ballard, aged 67 years, served as a private in Company K, Fourth Regiment Tennessee Cavalry, from March 12, 1864, to July 12, 1865 (1 year 4 months).

He is pensioned under the act of June 27, 1890, at \$12 per month by reason of fistula in ano and disease of heart and lungs.

Address, Miami, Okla.

The medical examination of February 3, 1892, showed only the pensioned disabilities.

Dr. W. L. McWilliams, April 9, 1912, was called about two months ago and found pensioner suffering from a slight attack of paralysis, involving face, left arm, and muscles of tongue, he being unable to speak. His heart action was irregular and he is afflicted with arteriosclerosis, and he is apt to have a serious recurrence of paralysis any day.

Pensioner and others testify that he can do no work; that his only support is his pension; and that he owns no real estate or any other property.

An increase to \$30 is recommended.

H. R. 23314. Anna Leonard, aged 68 years, is the widow of John Leonard, who served as a landsman on the *New Hampshire* and *Princeton*, United States Navy, from August 29, 1864, to April 25, 1865 (8 months).

Sailor was never pensioned; he died December 1, 1890; he and pensioner were married April 26, 1868; she was pensioned from April 25, 1891, at \$8, and \$2 for a minor child; she has been receiving \$12 since April 19, 1908.

Address, Brooklyn, N. Y.

Dr. C. E. Winter states that pensioner has a weak heart, chronic dyspepsia, and chronic rheumatism; these conditions and her age render her unable to work for a living.

Pensioner and two friends testify that she has no real estate, stocks, bonds, or other investments, and no income but her pension.

And increase to \$20 is recommended.

H. R. 23356. John A. Mow, aged 76 years, served as a private in Company I, Seventeenth Regiment Indiana Infantry, from October 15, 1864, to August 8, 1865 (9½ months), and is now a pensioner under the act of February 6, 1907, at \$20 per month on account of age.

Pensioned prior thereto under act of June 27, 1890, at \$12 by order 78, also age.

Address, Rochester, Ind.

Medical examination, March 2, 1904, showed disease of heart and sciatica.

Dr. H. W. Taylor, May 13, 1912, finds pensioner totally disabled for manual labor—age and rheumatism. The physician and another neighbor say that pensioner has no income except his pension upon which he and his wife must live, and that he has no property whatever.

An increase to \$24 is recommended.

H. R. 23432. Penelope Morton, aged 66, is the widow of James Morton, who served as a first lieutenant in Company F, Twenty-second Regiment Kentucky Infantry, from January 10, 1862, to February 18, 1863 (1 year 1 month), and is not now a pensioner under any act.

Address, Fullerton, Ky.

Soldier was not pensioned; he died September 16, 1886. He and applicant were married August 12, 1864. She was pensioned by special act from June 21, 1888, her claim under the general law having been rejected July 25, 1887, on the ground that soldier's fatal disease originated from disease contracted since the war. Her name was dropped from the rolls by reason of her remarriage November 20, 1892, to Charles E. Slye. She was divorced from Slye November 17, 1899, and granted the name she bore before marriage to him.

Dr. W. E. Nichols testifies that applicant is suffering from neurasthenia, partial loss of vision, rheumatism, which unfits her for earning her support, and she must depend upon others for her living.

The county clerk certifies that no property is assessed in her name. Others testify that she has no property whatever and depends upon her children for maintenance.

Her age, helplessness, destitution, and the fact she was a near war widow justify a renewal of her pension at \$12 a month.

H. R. 23443. James F. Walker, aged 71 years, served as a private in Company I, Fourteenth Regiment Kentucky Infantry, from November 10, 1861, to January 31, 1865 (3 years 3 months), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

Formerly pensioned under the general law at \$12 for varicose veins of right leg.

Address, Paintsville, Ky.

Medical examination, June 27, 1906, reveals varicose veins right leg, diarrhea, slight heart disease, and is disabled for manual labor.

Dr. G. V. Daniel, April 24, 1912, testifies that his right leg, foot, and ankle are in a very bad condition owing to broken veins; that he has diabetes and heart trouble, which disabilities totally unfit him for any kind of labor.

Pensioner and two neighbors testify that he is the owner of 80 acres of rough mountain land, too steep and hilly for farming, and is not suitable for agricultural purposes.

An increase to \$36 is recommended.

H. R. 23474. Edward L. Richmond, aged 69 years, served as a sergeant in Company A, First Battalion United States Infantry, and as drum major Twenty-sixth Regiment New York Cavalry, from May 2, 1861, to July 5, 1865 (4 years), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

Formerly pensioned under the general law at \$8 for gunshot wound of left side and resulting disease of heart, the only disabilities examined for, February 13, 1892.

Dr. W. G. Schoonover, April 8, 1912, pronounces pensioner incapacitated for future work by chronic bronchitis and endocarditis.

Pensioner says he owns no real estate, stocks, bonds, etc., no money, or income other than his pension.

Address, Yonkers, N. Y.

The Member introducing the bill certifies that the applicant depends entirely upon his pension of \$12 a month and has no real estate or other income of any kind.

An increase to \$30 is recommended.

H. R. 23476. John L. Comstock, aged 69 years, served as a private in Company D, Ninth Regiment New York Volunteer Heavy Artillery, from January 18, 1864, to June 25, 1865 (1 year 5 months 7 days), and is now a pensioner under the act of July 14, 1862, at \$14 per month on account of gunshot wound of left side.

Address, Eleventh Street and Baltimore Avenue, Kansas City, Mo.

Board of surgeons, February 7, 1912, found pensioned cause.

Medical testimony is that applicant suffers from results of gunshot wound of left side and from gastritis. It appears that he is unable to do manual labor.

Other testimony is that applicant is dependent upon his pension for a support.

An increase to \$30 a month is recommended.

H. R. 23486. Henry M. C. White, aged 72 years, served as a private in Company G, Eighteenth Regiment Illinois Infantry, from May 28, 1861, to September 19, 1862 (1 year and 4 months), and is now a pensioner under the act of July 14, 1862, at \$24 per month on account of gunshot wound of right breast and right forearm, and piles.

Address, Eureka Springs, Ark.

Dr. A. E. Tatman testifies that on January 2, 1912, pensioner had a stroke of paralysis which incapacitates him for manual labor and requires the constant assistance of an attendant. The nurse who cares for soldier says he is helpless and can not dress or care for himself.

It is shown by affiants that the soldier owns two lots with two small cottages thereon—one he occupies—the total value thereof is \$500; that his support and income is his pension.

An increase to \$40 is recommended.

H. R. 23489. Sidney F. Haines, aged 66 years, is the widow of Ellis A. Haines, who served as a scout and guide in Quartermaster's Department, United States Army, from April 1, 1864, to October 20, 1864, and from April 1, 1865, to June 20, 1865 (nine months). It would appear from the papers in the claim on file in the Pension Bureau that soldier had served at other times in a similar duty, but the dates are not shown. The soldier was seriously wounded three times in battle.

Soldier died on March 20, 1909. He was married to the applicant on November 15, 1866.

The claimant's address is Chambersville, Va.

The claim of the widow was rejected by the Pension Bureau on the ground that soldier was a civilian employee and had not been mustered into the United States service. It is undisputed, however, that Mr. Haines was under direction of proper United States Army officers; that he was wounded in battle; that Congress passed a special act for his relief; that the Pension Bureau subsequently gave him a rating in advance of that given in such special act, and that his services were acknowledged by such act of Congress and act of the bureau.

The only point to determine in this case is whether the soldier can be considered as having been mustered in the service. The records do not show a formal muster, but the same records show that Haines's services were accepted; that such services were accepted and paid for, and that they were valuable; and the soldier was wounded three times while in discharge of same.

Inasmuch as Mr. Haines's services were considered by a former Congress as of sufficient value to entitle him to a pension, we feel that the widow should be treated equally liberal and just.

A rating of \$12 per month is recommended.

H. R. 23495. James W. Thacker, aged 72 years, served as a private in Company A, Seventh Regiment Kentucky Volunteer Infantry, from August 19, 1861, to October 5, 1864 (3 years 1 month 16 days), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of July 14, 1862, at \$12 per month by reason of disease of lungs, result of measles.

Address, Beattyville, Ky.

Board of surgeons, July 7, 1909, found disease of lungs and eyes.

Medical testimony is that applicant has mitral regurgitation of the heart, cystitis, and weak eyes; is unable to do manual labor.

Other testimony is that the applicant is very poor.

An increase to \$36 a month is recommended.

H. R. 23497. Henry E. Rockafellow, aged 67 years, served as a private and corporal in Company I, First Regiment Michigan Volunteer Light Artillery, from August 18, 1862, to July 14, 1865 (2 years 10 months 26 days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$8 per month by reason of pharyngeal catarrh and disease of stomach.

Address, Sterling, Mich.

Board of surgeons March 16, 1892, found pensioned causes and eye trouble.

Medical testimony is that applicant has catarrh and disease of stomach and bowels; is totally unfit for manual labor.

Other testimony is that applicant has a 40-acre farm, that the farm is heavily mortgaged, that the money secured on the mortgage has long since been consumed, and he must let the mortgagee sell the farm; the 40 acres is only partly cleared and has a poor, mean house on it.

An increase to \$30 is recommended.

H. R. 23512. Ellen Coen, aged 88 years, is the widow of Ezekiel Coen, who served as a private in Company G, Twelfth Regiment Kansas Infantry, from August 16, 1862, to June 30, 1865 (2 years 10½ months).

Soldier was pensioned under the general law at \$14 a month, and this applicant, his widow, is now pensioned under the same law at \$12.

Soldier died April 23, 1895. He and this pensioner were married January 15, 1860.

Her address, Centerville, Kans.

Dr. A. W. Rush testifies that she has been totally blind for several years.

Pensioner and two other persons testify that her home has been destroyed by fire and she now owns nothing but the vacant lot and is destitute.

A "war widow," extremely old, blind, and helpless, an increase to \$20 is justified.

H. R. 23531. John Lindquist, aged 84 years, served as a private in Company L, First Regiment Minnesota Volunteer Heavy Artillery, from February 15, 1865, to September 27, 1865 (7 months 12 days), and is now a pensioner under the act of February 6, 1907, at \$20 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of injury of right shoulder, incomplete hernia of right side, and senility.

Address, Little Falls, Minn.

Board of surgeons April 2, 1890, found pensioned causes.

Medical testimony is that applicant is totally disabled on account of a large inguinal hernia.

Other testimony is that applicant has a homestead worth about \$500 and a cow and some household furniture, valued at about \$100.

An increase to \$24 a month is recommended. Short service.

H. R. 23540. Sarah E. Merritt, aged 77 years, is the widow of Fanning T. Merritt, who served as a corporal in Company C, Thirty-sixth Regiment Massachusetts Infantry, from August 4, 1862, to May 12, 1864, when killed in battle, Spottsylvania, Va.

Applicant and soldier were married November 28, 1855. She was pensioned at \$8 from the date of his death and at \$2 each for three children from July 25, 1866, until they severally became 16 years old. Her pension was made \$12 a month from August 19, 1886.

Address, Pacific Grove, Cal.

Pensioner and two neighbors make oath that she is old, not able to labor or earn a living; that she owns a small lot and house worth not to exceed \$350, and has in bank \$270; her only means of support is her pension.

As pensioner is a "war widow," quite old, and poor, an increase to \$20 a month is justified.

H. R. 23552. James Powers, aged 64 years, served as a private in Company E, Thirty-ninth Regiment New Jersey Volunteer Infantry, and in unassigned Thirty-third Regiment New Jersey Volunteer Infantry from February 21, 1865, to July 17, 1865 (4 months and 26 days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$8 per month by reason of right inguinal hernia and disease of throat and rheumatism.

Address, Citronelle, Ala.

Board of surgeons, December 20, 1905, found right inguinal her-chronic diarrhea, and chronic bronchial hoarseness. It appears that and general debility.

Medical testimony is that applicant has hernia, nervousness, chronic diarrhea, and chronic bronchial hoarseness. It appears that he is unable to do manual labor.

Pensioner states, and he is corroborated, that he owns real estate of the value of \$800 and personal property valued at \$50. His income from the hat-cleaning business is \$15 a month.

An increase to \$20 a month is recommended.

H. R. 23562. Thomas F. Edgar, aged 71 years, served as a corporal in Company F, Sixth Regiment Missouri State Militia Volunteer Cavalry, from July 22, 1863, to July 18, 1865 (two years less four days), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$8 per month by reason of chronic epididymitis, left testis, rheumatism.

Address, Mangum, Okla.

Board of surgeons, June 6, 1906, found pensioned causes and disease of eyes and tumor above right ear.

Medical testimony is that applicant has inguinal hernia and rheumatism and is unable to do manual labor.

Other testimony is that applicant has personal property assessed at \$157 and no income but his pension.

An increase to \$30 a month is recommended.

H. R. 23590. Mary Schwindling, aged 52 years, is the helpless child of Peter Schwindling, who served as a private in Company K, Thirty-seventh Regiment Wisconsin Volunteer Infantry, from October 24, 1864, to July 27, 1865 (10 months).

Soldier was pensioned under the general law at \$12.

Soldier died May 27, 1897. His wife was Susanna Schreiber. She died when their child, Mary Schwindling, was born, May 31, 1860. She is a congenital deaf-mute and is almost totally blind.

She has no property of any kind. When the soldier died he left her \$400, which has long since been exhausted.

J. Zahn has known her for 40 years, during which time she has been deaf and dumb, and now is practically blind.

C. J. Trilling, who has known her since 1875, corroborates the above.

Her duly appointed guardian is her sister, Magdalena Brown, whose address is Sheboygan, Wis.

Following precedent, a rate of \$12 is justified.

H. R. 23597. Marion Chambers, aged 71 years, served as a private in Company D, Seventy-fifth Regiment Ohio Volunteer Infantry, from December 16, 1861, to December 23, 1864 (36 months), and is now a pensioner under the act of February 6, 1907, at \$15 per month.

He was formerly pensioned under the act of June 27, 1890, at \$10 per month by reason of rheumatism and disease of heart.

His present address is Coolville, Ohio.

The medical and lay testimony filed in this case shows that soldier has no other income than his pension, no means of support, and that he is wholly unable to perform any manual labor.

On June 27, 1906, the Marietta (Ohio) board found soldier suffering with rheumatism and heart disease, right inguinal hernia, enlarged prostate gland, and piles.

In view of the long and honorable military service and the seriousness of the physical disabilities of the soldier, we recommend an allowance of \$30 per month.

H. R. 23608. George R. Latham, aged 80 years, served as colonel in the Second, Fifth, and Sixth Regiments, West Virginia Volunteer Cavalry, from May 25, 1861, to March 9, 1865 (3 years 9 months), and is now a pensioner under the act of July 14, 1862, at \$30 per month on account of injury of left foot and piles.

Application for increase, filed March 12, 1912, denied by Bureau of Pensions.

Address, Buckhannon, W. Va.

Two physicians, March 23, 1912, find him suffering from a rheumatic and nervous condition, affecting his left arm to such an extent that he can not dress himself without assistance. He is afflicted with paralysis agitans.

Lay testimony shows that soldier has no property and his only income and support is his pension.

An increase to \$40 is recommended by reason of his great age, his long service, and destitution.

H. R. 23656. Herschel W. Howland, aged 66 years, served as a private in Company I, Fourth Regiment New York Volunteer Heavy Artillery, from January 26, 1864, to June 21, 1864 (4 months 25 days), discharged on surgeon's certificate of disability, and is now a pensioner under the act of June 27, 1890, at \$12 per month for disease of lungs, rheumatism, and disease of heart and general debility.

He was formerly pensioned under the act of July 14, 1862, at \$2 per month by reason of disease of lungs.

Address, Yreka, Cal.

Board of surgeons, October 3, 1894, found no rating.

Medical testimony is that applicant has arteriosclerosis, is emaciated, joints are enlarged, joints of toes ankylosed, heart enlarged, and is unable to do manual labor.

Other testimony is that applicant has a home worth \$1,000 and a small quantity of household goods. The applicant states that his pension is his income, aside from what he can earn by doing light chores around town.

An increase to \$20 is allowable.

H. R. 23678. Harrison Craig, aged 68 years, served as a private in Company A, Forty-seventh Regiment Indiana Volunteer Infantry, from August 22, 1862, to July 28, 1865 (2 years 11 months 6 days), and is now a pensioner under the act of July 14, 1862, at \$17 per month on account of diarrhea, disease of eyes and resulting loss of sight of right eye, and nasopharyngeal catarrh.

Address, 531 East Arnold Street, Bluffton, Ind.

Board of surgeons, September 23, 1909, found right eye blind, sight of left eye impaired, and disease (ulceration) of the rectum; also has nasopharyngeal catarrh.

Medical testimony is that applicant has chronic catarrhal bronchitis and is unable to do any manual labor.

From the testimony it appears that the applicant is dependent upon his pension for a support.

An increase to \$36 a month is recommended.

H. R. 23688. Edward Spaulding, aged 69 years, served as a private in Company K, Fifty-sixth Regiment Pennsylvania Volunteer Infantry, from September 24, 1863, to June 5, 1865 (1 year 8 months), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

The claimant's address is No. 235 East One hundred and twenty-fourth Street, New York, N. Y.

The medical evidence filed in support of this claim shows conclusively that soldier is wholly incapacitated for any manual labor on account of arteriosclerosis, senile nervous changes, and nearly total blindness, necessitating constant care and attendance; also suffers with senile dementia.

Lay testimony shows no income other than pension and a destitute condition.

A rating of \$30 per month is recommended.

H. R. 23693. Tamson E. Boylston, aged 74 years, widow of Frank S. Boylston, who served as a private in Company A, Fourth Regiment Massachusetts Cavalry, from July 8, 1864, to May 26, 1865 (10½ months), and is now a pensioner under the act of June 27, 1890, at \$12 per month.

Address, 77 Lincoln Street, Jersey City, N. J.

Soldier was pensioned under act of June 27, 1890, at \$12. He died December 20, 1907. He and pensioner were married June 17, 1874.

Dr. S. V. W. Stout and four others testify that she is physically unable to earn a living, is very feeble and aged. Further, she is in impoverished circumstances, and has no income except her pension of \$12 a month.

An increase of \$20 is justified.

H. R. 23725. Mary E. Kelly, aged 55 years, is the widow of James Kelly, who served as a private in Company F, Thirteenth Regiment New York Heavy Artillery, from September 1, 1864, to June 21, 1865 (10 months).

Soldier was pensioned under act of June 27, 1890, at \$10. He died September 24, 1907. He and applicant were married September 23, 1884. She was pensioned from October 2, 1907, at \$8 for herself, and \$2 each for three children. She is now receiving \$12, through act of April 19, 1908, and also \$2 for Francis E. Kelly, helpless child.

Medical evidence shows that Francis E. Kelly is suffering from infantile paralysis, and has been since childhood.

Lay testimony shows that besides her pension this widow can not earn more than \$10 a month; that her pension of \$12 plus \$2 is inadequate to supply the necessities of living for her and her helpless and incompetent child. The child needs constant care and attention.

An increase to \$24 a month is recommended.

H. R. 23731. James A. Mullen, aged 71 years, served as a private in Company E, Thirty-eighth Regiment Ohio Volunteer Infantry, from March 18, 1865, to July 12, 1865 (3 months and 24 days), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

Address, Almshouse, Nashville, Tenn.

No board of surgeons' report on file.

Subsequent to the Civil War he had an extended service.

Medical testimony is that applicant, by reason of rheumatism and general debility, is unable to provide for himself.

The applicant is an inmate of the poorhouse.

An increase to \$20 a month is recommended.

H. R. 23742. Roswell Corbett, aged 89 years, served as a private in Company E, One hundred and ninety-eighth Regiment Pennsylvania Volunteer Infantry, from September 3, 1864, to June 6, 1865 (9 months 3 days), and is now a pensioner under the act of February 6, 1907, at \$20 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of lumbago, sciatica, and injury to right shoulder.

Address, Griswold, Iowa.

Board of surgeons, April 29, 1891, found pensioned causes.

Medical testimony is that applicant, by reason of old age, is incapacitated for manual labor; is totally blind in one eye and almost blind in the other.

Other testimony is that applicant and his wife own a homestead worth about \$800; applicant's income is, it is stated, his pension.

An increase to \$24 a month is recommended.

H. R. 23746. Joseph Williams, aged 66 years, served as a private in Company A, Thirty-ninth Regiment New Jersey Volunteer Infantry, from September 27, 1864, to June 26, 1864 (8 months 29 days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$8 per month by reason of gunshot wound of back and impaired vision of both eyes.

Was formerly pensioned under the act of July 14, 1862, at \$2 per month for gunshot wound of back.

Address, Soldiers' Home (Kearney), Newark, N. J.

Board of surgeons, March 21, 1906, found gunshot wound of back, impaired vision of both eyes, and left oblique inguinal hernia.

Medical testimony is that applicant has rheumatism of left arm and shoulder and muscular rheumatism of back; complete loss of sight in right eye, sight very slight in left eye; is unable to do manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$24 a month is recommended. Short service.

H. R. 23747. Harrison Ratliff, aged 73 years, served as a private in Company D, Thirty-ninth Regiment Kentucky Volunteer Infantry, from November 19, 1862, to September 15, 1865 (2 years 9 months 26 days), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of fatty tumor on left hip, piles, and disease of lungs.

Address, Lookout, Ky.

Board of surgeons, May 6, 1891, found disease of lung, disease of left side, piles, and general debility.

Medical testimony is that applicant has rheumatism, bronchitis, and fatty tumor on left hip; is unable to do manual labor.

Other testimony is that applicant has no income but his pension.

An increase to \$30 a month is recommended.

H. R. 23748. George L. Davis, aged 74 years, served as a corporal in Company L, Eighth Regiment Tennessee Cavalry, from September 17, 1863, to September 11, 1865 (two years), and is now a pensioner under the act of July 14, 1862, at \$17 per month on account of disease of liver and gums, with loss of teeth.

Medical examination, June 4, 1903, shows the pensioned causes rheumatism, disease of kidneys, and is unable to earn a support.

Dr. J. A. Mahaffey, April 17, 1912, describes pensioner as a sufferer from articular rheumatism, arteriosclerosis, and chronic indigestion. due to loss of teeth and thereby unable to masticate his food; he is unable to do manual labor.

Pensioner and his witnesses say he owns 40 or 50 acres of mountain land worth about \$200, and cattle and personal property of the value of \$300; his income is his pension of \$17 a month.

An increase to \$36 is recommended.

H. R. 23783. Daniel R. Snyder, aged 66 years, served as a private in Company B, Two hundred and tenth Regiment Pennsylvania Infantry, from September 2, 1864, to May 30, 1865 (nine months), and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of rheumatism, disease of heart and rectum, and obesity, shown by medical examination of October 15, 1902.

Address, Hanover, Pa.

Dr. M. M. Fleagle says soldier is permanently disabled from obtaining his subsistence by manual labor by reason of double fistula, with perirectal abscesses, which involve the neck of the bladder, requiring frequent catheterizations.

Pensioner and two others make oath that the only property he owns is a house and lot in Penn Township, valued at \$1,500, on which is a debt of \$400; this is used as a home for himself and wife, and as his pension is inadequate for their support, an increase to \$24 is recommended.

H. R. 23790. Emsey O. Young, aged 81 years, is the widow of William Young, who served as a private in Company D, Second Regiment Iowa Cavalry, from January 4, 1864, to September 30, 1865 (one year and nine months).

Soldier was pensioned under the general law at \$12 by reason of rheumatism and resulting disease of heart: he died October 16, 1899. This widow, whom he married July 6, 1848, is pensioned under the general law at \$12.

The helpless and dependent child, William M. Young, was born August 17, 1867; age, 44.

Neighbors testify that they have known him ever since his birth; that he was born clubfooted and deformed in his right hand and arm, and has been helpless ever since, and that he is the son of soldier and pensioner.

Others say that neither now nor at any time has he been able to earn a living, and that his married sister contributes to his support.

Dr. R. Haley and Dr. G. M. Lantz testify that about May 9, 1893, they amputated both of the feet of the helpless child on account of their diseased condition.

At 81 the mother must be feeble and helpless, as is the son, and an increase to \$24 is recommended.

H. R. 23792. John B. Cason, aged 67 years, served as a private in Company A, First Regiment Arkansas Volunteer Infantry, from June 10, 1862, to December 31, 1862 (6½ months), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

Formerly pensioned under act of June 27, 1890, at \$8 for disease of left testicle, rheumatism, and senile debility.

Address, Creal Springs, Ill.

Medical examination, January 2, 1907, shows pensioned causes and disease of heart.

Two physicians, April 15, 1912, testify that pensioner suffers from lumbago, sciatica, atrophied left testicle, catarrh, and is unable to perform manual labor.

Pensioner and two others testify that he does not own any real estate, and that his only means of support is his pension.

An increase to \$24 is allowable.

H. R. 23814. Horace Buchanan, aged 75 years, served as a first lieutenant and adjutant in the Twenty-fourth Regiment Wisconsin Volunteer Infantry from May 14, 1864, to June 10, 1865 (1 year and 26 days), and is now a pensioner under the act of July 14, 1862, at \$17 per month on account of gunshot wound of right thigh.

Address, Schenectady, N. Y.

Board of surgeons, October 11, 1911, found gunshot wound of right thigh, double inguinal hernia, and hemorrhoids.

Medical testimony is that applicant suffers from effects of gunshot wound of right thigh; the right limb is shrunken, weak, and very painful at times; he also has double inguinal hernia and piles; is unable to do manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$36 a month is recommended.

H. R. 23815. Daniel H. Woolery, aged 67 years, served as a private in Company B, Twenty-second Regiment Kentucky Volunteer Infantry, from November 9, 1861, to February 7, 1863, and as a sergeant in Company F, Fifty-fourth Regiment Kentucky Volunteer Mounted Infantry, from September 5, 1864, to September 1, 1865 (total service, 2 years 2 months and 24 days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of July 14, 1862, at \$6 per month by reason of disease of spine.

Address, Grayson, Ky.

Board of surgeons, July 4, 1906, found a rating on kidneys.

Medical testimony is that applicant has marked obesity and curvature of the spine; is unable to do manual labor.

Other testimony is that applicant has real property of the value of about \$625 and personal property of the value of \$50.

An increase to \$30 a month is recommended.

H. R. 23825. Lucretia M. Smith, aged 66 years, is the former widow of William Schenck, who served as a private in Company B, First Regiment New Jersey Light Artillery, from September 3, 1861, to September 15, 1864 (3 years).

Soldier never applied for pension. He died November 6, 1866.

He and applicant were married December 25, 1865. She and their child were pensioned under the general law until her remarriage, in 1886, to Richard C. B. Smith, who died November 21, 1911.

Dr. F. H. Pierson has attended her for anemia and in epileptic fits. He further testifies that she has suffered considerably from privation and she can not gain a livelihood through her own efforts. Her son, by the soldier, is her only support, and he is afflicted with valvular disease of heart.

Applicant says she has no source of income but the earnings of her son, who can not work over three days a week owing to heart trouble. Others say she is in destitute circumstances.

As she was almost a "war widow," is now again a widow, going by precedent, a pension of \$12 a month may be allowed.

H. R. 23860. John C. Kliver, aged 65 years, served as a private in Company I, Eighty-eighth Regiment Ohio Infantry, from July 4, 1863, to July 3, 1865 (2 years), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

Formerly pensioned under act of June 27, 1890, at \$8 for impaired vision.

Address, Rockford, Ill.

Medical examination of March 6, 1907, rated him on age, no ratable disability being found; the bureau, however, rated him on impaired vision.

Dr. J. H. Green, April 22, 1912, testifies that pensioner is his patient and that he is suffering from chronic myocarditis, general arteriosclerosis, and chronic rheumatism, and he is unable to work.

Pensioner and his witnesses state that he owns no property whatever: that his only revenue is his pension; his wife owns their home, worth \$1,500.

An increase to \$30 is recommended.

H. R. 23871. Stanford W. Ellis, aged 74 years, served as a private in Company G, Forty-sixth Regiment Missouri Volunteer Infantry,

from September 27, 1864, to March 31, 1860 (6 months and 4 days), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of disease of digestive organs, rectum, and heart, and senile debility.

Address, Niangua, Mo.

Board of surgeons, April 26, 1905, found disease of digestive organs, rectum, and heart, senile and general debility, general rheumatism, slight deafness, and impaired vision.

Medical testimony is that applicant has nasopharyngeal catarrh, left oblique inguinal hernia, rheumatism. It appears that he is unable to do manual labor.

From the testimony it appears that the applicant has no means of support but his pension.

An increase to \$24 is recommended.

H. R. 23872. William Bacome, aged 72 years, served as a private and first sergeant in Company C, Forty-sixth Regiment Indiana Volunteer Infantry, from October 10, 1861, to August 1, 1865 (3 years 9 months 21 days), and is now a pensioner under the act of July 14, 1862, at \$17 per month on account of chronic diarrhea and resulting disease of rectum and disease of eyes.

Address, Weston, Ohio.

Board of surgeons, April 26, 1911, found chronic diarrhea, disease of rectum, disease of heart, and injury to knee, and rated at \$24 per month.

Medical testimony is that applicant has chronic diarrhea and disease of rectum; has disease of eyes; has rheumatism. It appears that he is entirely unable to do any manual labor.

The applicant owns a home, and his income is his pension.

An increase to \$36 a month is recommended.

H. R. 23873. Thomas R. Scott, aged 68 years, served as a private in Company E, Seventy-first Regiment New York State Militia Infantry, from April 20, 1861, to July 30, 1861, and in Company K, Seventy-first Regiment New York State Militia Infantry, from May 28, 1862, to September 2, 1862, and as captain in Company D, Twenty-fifth Regiment New York Volunteer Cavalry, from July 16, 1864, to June 27, 1865 (total service, 1 year 5 months and 25 days).

Applicant is now pensioned at \$12 per month under the act of February 6, 1907.

He was formerly pensioned under the act of June 27, 1890, at \$10 per month for impaired vision, disease of heart, neurasthenia, injury to left shoulder, and disease of digestive organs.

Address, 116 Delaware Avenue, Buffalo, N. Y.

Board of surgeons, October 5, 1905, found disease of heart and liver, neurasthenia, fracture of clavicle, and general and senile debility.

Medical testimony is that applicant has sciatic rheumatism and lumbago; has vertigo; has rectal disease; has relaxation of anal sphincters; his heart is affected; is unable to do manual labor.

Other testimony is that applicant has no property, and no income but his pension.

An increase to \$30 a month is recommended.

H. Rept. 731, 62-2—12

H. R. 23875. Charles W. Bricker, aged 65 years, served as a private in Company C, Twenty-sixth Regiment Pennsylvania Militia Infantry, from June 17, 1863, to July 30, 1863, and in Company A. One hundred and ninety-fourth Regiment Pennsylvania Volunteer Infantry, from July 11, 1864, to September 8, 1864, and in Company E, Seventh Regiment Pennsylvania Volunteer Cavalry, from September 9, 1864, to June 23, 1865; total service, 1 year and 24 days.

Is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

Was formerly pensioned under the act of June 27, 1890, at \$10 per month for rheumatism and disease of heart, stomach, and rectum.

Address, 371½ West Water Street, Elmira, N. Y.

Board of surgeons, May 1, 1907, found disease of stomach and rectum.

Medical testimony is that applicant has rheumatism, heart disease, and vertigo; also has hemorrhoids; is unable to do manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$30 a month is recommended.

H. R. 23886. James E. Cady, aged 68 years, served as a private in Company G, Eighth Regiment Minnesota Volunteer Infantry, from August 18, 1862, to July 11, 1865 (2 years and 11 months), and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of disease of heart and rectum.

The claimant's address is Medford, Minn.

He alleges that his disabilities have so increased as to entitle him to a higher rating. He now receives the maximum rate under the act of June 27, 1890. He claims he suffers with internal and external piles; there is an enlargement and stiffness of his right ankle, and he is nearly totally deaf in left ear. His income does not exceed \$40 per year (in addition to his pension), which is derived from raising a few bees. These are the facts as shown by the evidence.

On July 22, 1903, the pension examining expert at Northfield, Minn., reported severe deafness of left ear and atrophic rhinitis.

It is believed this case comes within the intent or purpose of a special act in view of soldier's long service and serious disabilities, and that the claim should be considered in a liberal spirit.

A rating of \$30 per month is recommended.

H. R. 23887. John Reash, aged 65 years, served as a private in Company B, First Regiment Minnesota Volunteer Heavy Artillery, from September 22, 1864, to June 17, 1865 (8 months and 25 days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

Address, Owatonna, Minn.

Board of surgeons, November 7, 1906, found slight deafness, varicose veins, and rheumatism.

Medical testimony is that applicant has chronic bronchitis, muscular rheumatism, catarrh of the nose, throat, and stomach, and partial deafness; is unable to do manual labor.

It appears from the testimony that the applicant is in very straitened circumstances.

An increase to \$20 is allowable.

H. R. 23888. John Leroy McMichael, aged 65 years, served as a private in Company K, Thirty-eighth Regiment Ohio Volunteer Infantry, and in Company F, Eighth Regiment Veteran Reserve Corps, from August 1, 1862, to July 2, 1865 (2 years 11 months 1 day), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$6 per month by reason of disease of rectum and disease of heart.

Address, Owatonna, Minn.

Board of surgeons, February 21, 1894, found no rating, but describes diseased condition of rectum and heart.

Medical testimony is that applicant has angina pectoris and mitral leakage; has rheumatism; has recently suffered from a stroke of paralysis; is unable to do manual labor.

From the testimony it appears that the applicant is in straitened circumstances and has no income but his pension.

An increase to \$30 a month is recommended.

H. R. 23890. George N. Van Wagener, aged 66 years, served as a private and corporal in Company A, Twenty-second Regiment Wisconsin Infantry, from August 7, 1862, to June 12, 1865 (2 years 10 months), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

Formerly pensioned under the general law at \$10 for disease of stomach and bowels and resulting piles, and disease of urinary organs.

Address, Owatonna, Minn.

Medical examination, December 10, 1910, rated soldier for disease of heart, piles, and disease of prostate.

Dr. E. E. Bigelow, April 10, 1911, has prescribed for soldier for indigestion, irritable bladder, and rheumatism, and enlarged prostate.

Other testimony shows that pensioner is in poor health and is in very moderate financial circumstances, his only property being a small home.

An increase to \$30 is recommended.

H. R. 23896. John O. Shufeldt, aged 72 years, served as a sergeant in Company A, Fifth Regiment Connecticut Volunteer Infantry, from June 21, 1861, to October 29, 1862 (1 year 4 months 8 days; discharged for disability), and is now a pensioner under the act of July 14, 1862, at \$16 per month on account of gunshot wound of both thighs and scrotum and malarial poisoning.

Address, 152 Lafayette Street, Schenectady, N. Y.

Board of surgeons, March 25, 1912, found pensioned cause (gunshot wound of both thighs and scrotum), enlarged prostate, cystitis, and probable pyonephrosis (renal abscess and ulceration), and rated at \$50 per month.

Medical testimony under date of April 30, 1912, is that the applicant has been under medical care for one year, both at home and in the hospital; the injury to scrotum and prostate makes constant drainage by a catheter necessary, as the penis is obstructed; the applicant has been confined to his bed for six months with no prospect of relief.

Other testimony is that applicant has no property and no income but his pension.

In view of applicant's honorable service and horrible condition, due to gunshot wound received in service, an increase to \$36 a month is strongly recommended.

H. R. 23911. Thomas F. Lankford, aged 77 years, served as a private in Company B, First Regiment Kentucky Volunteer Cavalry, from July 27, 1861, to December 31, 1864 (3 years 5 months and 4 days), and is now a pensioner under the act of February 6, 1907, at \$20 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of disease of testicles and neuralgia and paralysis.

Address, Lebanon, Ky.

Board of surgeons, May 9, 1894, found disease of testicles, left varicocele, and neuralgia, and attacks of vertigo.

Medical testimony is that applicant has rheumatism, and has lost the sight of his right eye, and is nearly blind in the other eye; is unable to do manual labor.

Other testimony is that applicant has property worth about \$300. His income is his pension.

An increase to \$30 a month is recommended.

H. R. 23915. Martin J. Flegel, aged 74 years, served as a private in Company C, First Regiment Provisional Home Brigade Maryland Volunteer Cavalry, from October 20, 1862, to June 28, 1865 (2 years 8 months and 8 days), and is now a pensioner under the act of July 14, 1862, at \$24 per month on account of gunshot wound of left leg.

Address, 579 West College Avenue, York, Pa.

Board of surgeons, January 12, 1910, found gunshot wound of left leg and results, heart disease, and rated at \$30 a month.

Medical testimony is that applicant is totally incapacitated from performing manual labor by reason of gunshot wound of left leg, organic heart disease, and epithelioma (cancer) of right ear.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$30 a month is recommended.

H. R. 23929. Elizabeth H. Nichols, aged 62 years, is the widow of Frederick R. Nichols, who served as a private in Company K, Twenty-third Regiment Iowa Volunteer Infantry, from August 5, 1862, to May 27, 1865 (2 years and 10 months).

Soldier was pensioned under act of June 27, 1890, at \$12. He died July 26, 1901; his accrued pension was paid this widow. He and she were married October 9, 1892. Her application under the general law was rejected, after special examination, on account of applicant's inability to prove that soldier's death was chargeable to his military service, and her claim under the act of June 27, 1890, was rejected because she married soldier subsequent to that date.

Address, Stockton, Ill.

Pensioner states that she has a little home valued at \$700, the taxes thereon were paid by the G. A. R. post; that she is an invalid, and has an invalid daughter to support; that she can do but little work, and has been aided by the G. A. R.

Two neighbors testify that applicant is in very poor health, has an invalid daughter to support; that all the property she has is a small cottage worth about \$1,000, and household goods worth \$25.

There are many precedents to allow \$12 a month.

H. R. 23933. William J. Ferguson, aged 65 years, served as a musician in Company G, One hundred and eleventh Regiment New York Volunteer Infantry, from August 1, 1862, to June 4, 1865 (2 years 10 months 3 days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$10 per month by reason of intercostal neuralgia, sciatica, and dyspepsia. Address, 75 North Street, Auburn, N. Y.

Board of surgeons, May 8, 1907, found pensioned causes.

Medical testimony is that applicant has rheumatism, heart disease, and impaired vision, and is unable to do manual labor.

Other testimony is that applicant has no property and no income but his pension.

An increase to \$30 a month is recommended.

H. R. 23936. Thomas D. McElwain, aged 68 years, served as a bugler in Company A, First Regiment Ohio Volunteer Cavalry, from August 6, 1861, to August 26, 1864 (three years), and is now a pensioner under the act of July 14, 1862, at \$16 per month on account of right inguinal hernia and nasal catarrh.

Address, Soldiers' Home, Sandusky, Ohio.

Soldier was examined and rated May 14, 1890.

Dr. J. Haynes, April 17, 1912, testifies that soldier has complete inguinal hernia, cardiac hypertrophy, chronic nasal catarrh, and chronic rheumatism; his appearance indicates a man of 80 years.

Pensioner has no property, real or personal, and no income but his pension is the testimony of two persons who have known him for years.

An increase to \$36 is recommended.

H. R. 23937. Charles H. Spencer, aged 72 years, served as a second lieutenant in Companies A and D, Tenth Regiment New York Volunteer Cavalry, from August 23, 1861, to April 28, 1864 (two years eight months five days), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$10 per month by reason of rheumatism, disease of heart, left varicocele, and senile debility.

Address, Soldiers' Home, Quincy, Ill.

Board of surgeons, February 9, 1905, found pensioned causes.

Medical testimony is that applicant has insomnia and constipation, enlarged liver, heart trouble, and varicocele; is unable to do manual labor.

Other testimony is that applicant has no property of any kind. He has a pension of \$15 per month.

An increase to \$30 a month is recommended.

H. R. 23979. Margaret E. Carrick, aged 58 years, is the widow of Daniel Fisher, jr., who served as a sergeant in Company I, One hundred and forty-fifth Regiment Ohio National Guard Infantry, from May 2 to August 24, 1864 (4 months).

Soldier was pensioned under act of June 27, 1890, at \$12. He died April 23, 1897; he and applicant were married October 20, 1886. She and a child were pensioned under act of June 27, 1890, at \$8 and \$2 until September 27, 1910, when she remarried to Charles W. Carrick.

Her address, Petersburg, Mich.

Charles W. Carrick died May 10, 1911, and the pension accrued at his death was paid this widow. He had been a soldier in Company G, First Michigan Volunteer Infantry, and had been pensioned under the general law at \$17 for gunshot wounds of both thighs and resulting varicose veins. As he died of uremia, not of Army origin, she has no title under the general law as his widow, and as she married him subsequent to June 27, 1890, she has no title under the act of April 19, 1908.

She now asks for renewal of her pension through a special act as the widow of her former husband, Daniel Fisher, jr.

Her dependence as Fisher's widow was proven when she was formerly pensioned; and as her second husband was a clergyman it is scarcely probable he left her well provided for. However, the Member introducing the bill says:

Mr. Carrick died May 10, 1911, leaving his wife practically destitute and dependent upon the earnings of a young daughter for support. Mrs. Carrick called at my office last fall; she is a frail little woman, utterly incapable of earning a living and afflicted with the continuous cough which only too clearly denotes the presence of consumption.

Following precedent an allowance of \$12 a month is made.

H. R. 23981. Nathaniel McDonald, aged 66 years, served as a private in Company A, Fifteenth Regiment, and Company K, Tenth Regiment, West Virginia Volunteer Infantry, from May 22, 1863, to August 9, 1865 (2 year and 2 months), and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of neuralgia, disease of eyes, and nasopharyngeal catarrh, as shown by medical examination of September 16, 1903.

Address, Richardson, W. Va.

Pensioner states he owns 103 acres of land of the value of \$525, and his income from all sources is \$150 a year.

Neighbors declare that he is unable to do manual labor; that he is almost blind; that his income is his pension and the very little which he can raise on his farm.

An increase to \$24 is recommended.

H. R. 24006. Mary M. Rowe, aged 76 years, is the widow of Charles A. Rowe, who served as a sergeant in Company E, Forty-sixth Regiment Pennsylvania Infantry, from August 13, 1861, to September 18, 1864 (3 years and 1 month).

Soldier was pensioned under act of February 6, 1907, at \$12.

Formerly pensioned under act of June 27, 1890, at \$10.

He died June 21, 1908; he and pensioner were married October 25, 1868. She is now pensioned under act of April 19, 1908, at \$12.

Address, 226 South Sixth Street, Reading, Pa.

Dr. Hester Bucher testifies that pensioner is suffering from arteriosclerosis, curvature of the spine, and general debility. Physically she is a wreck, and is unable to do any work.

Neighbors say she has no property or estate and no income but her pension.

An increase to \$20 is recommended.

H. R. 24031. Cyrus A. Moneysmith, aged 67 years, served as a private in Company A, One hundred and sixty-ninth Regiment Ohio National Guard Infantry, from May 2 to September 4, 1864 (4 months and 2 days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$10 per month by reason of diarrhea, ventral hernia, rheumatism, disease of heart and mouth, and nasopharyngeal catarrh.

Address, R. F. D. No. 3, Portland, Ind.

Board of surgeons, January 3, 1906, found pensioned causes.

Medical testimony is that applicant has had a stroke of paralysis, is entirely helpless, and requires the same attention and care as a child; he is entirely dependent on the nurse for all his wants.

The Member introducing the bill states that he is reliably informed and believes that the applicant has no property from which he derives a sufficient income for his maintenance and support in his present condition, due to a stroke of paralysis.

In view of the applicant's helpless condition an increase to \$36 a month is recommended.

H. R. 24080. Joseph Goddard, aged 73 years, served as a corporal in Company H, Second Regiment Tennessee Cavalry, from October 10, 1862, to July 6, 1865 (2 years and 9 months), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

Formerly pensioned under the general law at \$14 for disease of eyes.

Address, Maryville, Tenn.

Dr. J. D. Singleton, February 8, 1912, states that soldier is unable to walk or dress himself; that he has no control over his bladder, and part of the time no control over his bowels; that he requires the constant care of a nurse, and he will never be better.

Neighbors who have known him for 40 years say he is now in bed in a helpless condition, and is attended constantly by some one; that he has no property or means of support but his pension.

An increase to \$36 is recommended.

H. R. 24105. Frank E. Barnes, aged 27 years, is the helpless child of Frank E. Barnes, who served as a private in Company I, Twenty-seventh Regiment Ohio Volunteer Infantry, from July 23, 1861, to August 18, 1864 (37 months).

The address of claimant is Swanton, Ohio.

The soldier (father of applicant) died April 7, 1911.

The soldier was first married to Virginia Rumsey on January 1, 1865. She died on May 6, 1888. She was the mother of the applicant. The soldier's second marriage was to Esther L. Devine, on December 24, 1895. Applicant was born September 9, 1885.

The accrued pension of soldier was paid to the widow, but as she was married to soldier subsequent to the passage of the act of June 27, 1890, she would not have any title to a widow's pension. Soldier's death was due to pneumonia, which is not claimed to be a result of service.

By competent medical evidence it is shown that the applicant is seriously and permanently crippled. He is clubfooted, knock-kneed; there is a lateral curvature of the spine; muscles of lower limbs are somewhat atrophied; his mind is sluggish, not clear on some subjects, and he is incapable of attending to business. He is unable to get around unless with aid of crutches. The conditions are congenital, are incurable, and render applicant wholly unfitted for any sort of work whereby to maintain himself.

The applicant has no means of support; he is dependent upon others for his maintenance.

While the applicant was over 16 years of age at the date of his father's death, it is so clearly shown that he is a most deserving case that we find that justice can only be shown through the medium of a special act of Congress.

A rating of \$12 per month is recommended.

H. R. 24127. Mary E. Sprayberry, aged 58 years, is the widow of Jerry D. Sprayberry, who served as a private in Company B, Tenth Regiment Missouri Volunteer Cavalry, and in Company G, Second Regiment Missouri Volunteer Cavalry, from March 27, 1865, to September 19, 1865 (5½ months).

The claimant's post-office address is Newman, Ga. She was married to soldier on May 13, 1900. Soldier died October 22, 1910.

Soldier was pensioned at \$24 per month on account of lumbago.

The widow's claim under the act of July 14, 1862, was rejected on the ground that soldier's death was due to paralysis and not to lumbago (the pensioned cause). The correctness of such action of the bureau is the only question to determine, all other points being shown and undisputed.

The affidavit of Dr. A. A. Barge gives a full clinical history of soldier's disease. A reading of his affidavit is necessary to a full understanding of the case, and it is too long to incorporate herein, as it would merely be a repetition.

There is no positive proof of death from paralysis. The description of the symptoms of soldier's ailment shows that it would be hard to determine whether it was a form of apoplexy or of lumbago, as stated. To say the least, there might be a doubt; and your committee believes this to be such a case as warrants the waiving in claimant's favor of any doubt that might exist. We believe favorable action is justified on the facts as presented, and recommend an allowance of \$12 per month.

H. R. 24138. Joel Ratliff, aged 69 years, served as a private in Company D, Thirty-ninth Regiment Kentucky Volunteer Infantry, from November 19, 1862, to September 15, 1865 (2 years 9 months and 26 days), and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of rheumatism, disease of heart and rectum (prolapsus), nervous and senile debility.

Address, Regina, Ky.

Board of surgeons, June 1, 1904, found rheumatism, hypertrophy of heart, piles, prolapsus of rectum, atrophy of testicle, and general and senile debility.

Medical testimony is that applicant has rheumatism, disease of eyes and testicles, and is unable to do manual labor.

Other testimony is that applicant has no means of support but his pension.

An increase to \$30 a month is recommended.

H. R. 24140. Henry Coster, aged 62 years, served as a first-class boy on U. S. S. *Santiago de Cuba* and *Princeton*, United States Navy, from August 22, 1864, to September 11, 1867 (3 years; less than 1 year's rebellion service—10 months), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

Formerly pensioned under act of June 27, 1890, at \$10 for piles, catarrh, and disease of kidneys.

Address, 68 Floyd Street, Brooklyn, N. Y.

Medical examination. April 28, 1909, shows pensioned causes.

Dr. H. W. Haskell, April 23, 1912, has treated pensioner for two years for chronic rheumatism, and says that his condition is such that he can do no work.

Other testimony states that pensioner is not able to do any kind of work; that he is very poor, owns no real estate, stocks, bonds, or other investments, and has no income whatever except his pension.

An increase to \$24 is allowable.

H. R. 24141. Elizabeth Reynolds, aged 64 years, is the widow of Henry E. Reynolds, who served as a corporal in Company A, Fifth Regiment New York Infantry, from May 9, 1861, to May 14, 1863 (2 years).

Address, 83 Stockton Street, Brooklyn, N. Y.

Soldier never applied for pension; he died June 29, 1875.

He and pensioner were married September 22, 1866. She was pensioned at \$8 from September 30, 1893, and at \$12 from April 19, 1908.

Dr. J. H. Cotter testifies that she is his patient; has treated her for four years; she is afflicted with chronic diarrhea and chronic nephritis, and that she is totally disabled and unable to earn a livelihood.

Pensioner and neighbors say that she possesses no real estate, mortgages, or bonds, and has no income but her pension.

An increase to \$20 is allowed.

H. R. 24143. Sarah E. Bapp, aged 57 years, is the widow of Henry Bapp, alias William Henry Bapp, who served as a corporal in Company D, One hundred and thirty-third Regiment New York Infantry, from August 27, 1862, to June 6, 1865 (2 years 9 months).

Address, Brooklyn, N. Y.

Soldier was pensioned under act of June 27, 1890, at \$10 for right inguinal hernia and general debility. Soldier died May 13, 1906. He and applicant were married June 28, 1871. She is now pensioned as his widow at \$12 a month.

Dr. E. M. Bullwinkel testifies that she is totally blind in both eyes and totally incapacitated from pursuing her usual avocation.

Two neighbors say that applicant and her daughter, who must take care of her, are in absolute want, the mother is totally blind, and the pension of \$12 a month is not sufficient to keep them in necessities.

An increase to \$20 is recommended.

H. R. 24170. David Thompson, aged 68 years, served as a private in Company M, Second Regiment Pennsylvania Volunteer Heavy Artillery, from August 11, 1862, to June 20, 1865 (2 years 10 months

9 days), and is now a pensioner under the act of June 27, 1890, at \$12 per month on account of disease of lungs and heart.

Address, Scranton, Pa.

Board of surgeons, August 23, 1899, found disease of lungs, disease of rectum, and general debility.

Medical testimony is that applicant has general debility, and is unable to do any manual labor.

It appears that applicant's only support is his pension.

An increase to \$30 a month is recommended.

H. R. 24171. James Phillips, alias Joseph Stanton, aged 68 years, served as a private in Company G, First Battalion, Eleventh Regiment United States Infantry, and in One hundred and eighteenth Company, Second Battalion, Veteran Reserve Corps, from March 11, 1862, to March 9, 1865, and in Company F, Eighty-eighth Regiment Pennsylvania Volunteer Infantry, from March 29, 1865, to June 30, 1865 (total service, 3 years 2 months 29 days), and is now a pensioner under the act of June 22, 1890, at \$12 per month on account of gunshot wound of left foot, injury of left leg, and disease of nervous system.

Address, Scranton, Pa.

Board of surgeons, March 9, 1904, found pensioned causes.

Medical testimony is that applicant has a gunshot wound of left foot and that he is suffering from general debility; is unable to do manual labor.

Other testimony is that applicant has no income but his pension.

An increase to \$30 a month is recommended.

H. R. 24198. Elizabeth Schreiner, aged 42 years, is the widow of Peter Schreiner, who served as a private in Company E, Fourth Regiment Ohio Volunteer Cavalry, from September 10, 1861, to July 21, 1862 (10 months).

Soldier was pensioned under the general law at \$12; died November 12, 1888. He and applicant were married November 19, 1864. She was pensioned under the general law at \$12 and \$2 each for four children until they, respectively, became 16 years old.

Barbara, the helpless child, was born in 1870. Dr. O. Baumgaertner testifies that Barbara is an idiot, the result of epilepsy, and is entirely unable to do anything for herself.

Neighbors who have known her from infancy, or for 30 years, testify that she is entirely helpless; that she lives with her mother, whom the county auditor certifies has no real or personal estate. Neighbors say the mother cares for and supports her idiotic child, who has never walked, can not talk, and is bedfast; that she is the child of soldier and pensioner.

An increase to \$24 is warranted.

H. R. 24294. Angeline Wilson, aged 63 years, is the widow of Joseph S. Wilson, who served as a commissary sergeant in the Thirteenth Regiment United States Infantry, from April 22, 1861, to February 11, 1867 (5 years 10 months).

Soldier was pensioned under act of February 23, 1907, at \$12. He died September 21, 1908. He and this widow were married January 22, 1868. She is now pensioned at \$12, under act of April 19, 1908.

Address, Hendrysburg, Ohio.

She and the soldier had a child, Elmer E. Wilson, who was born May 5, 1878, and the testimony shows the child has been blind ever since he was 7 years old.

Dr. J. A. Hobson, March 30, 1912, says that the child's blindness resulted from an attack of ophthalmia; that he is blind, helpless, and without means of support.

The widow owns a small home, worth a few hundred dollars, and her means of support for herself and child is her pension, except that the county blind-relief fund for three years allowed the child \$100, but last January allowed \$150, which was spent for an operation on the eyes, with no permanent good.

An increase to \$24 is recommended.

H. R. 24300. James Baxter, aged 79 years, served as a private in Company A, Twenty-second Regiment Connecticut Volunteer Infantry, from August 23, 1862, to July 7, 1863 (10 months 14 days), and is now a pensioner under the act of February 6, 1907, at \$20 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of total inability to earn a support by manual labor.

Address, Ellington, Conn.

Board of surgeons, April 7, 1897, found senile debility, rheumatism and disease of heart.

Medical testimony is that from the effects of an operation and from age applicant is unable to do manual labor.

The applicant states he has a life estate in a small farm and he and his wife have from \$250 to \$300 in personal property. He has a pension of \$20 a month.

An increase to \$24 a month is recommended.

H. R. 24314. Henry C. Mears, aged 67 years, served as a private in Company B, Twenty-third Regiment Massachusetts Volunteer Infantry, from September 20, 1861, to September 4, 1862, and as a corporal in Company B, Second Regiment Massachusetts Volunteer Heavy Artillery, from May 17, 1863, to May 26, 1865 (total service, 2 years 11 months 23 days), and is now a pensioner under the act of July 14, 1862, at \$14 per month on account of lameness of right ankle.

Address, 111 Euclid Avenue, Lynn, Mass.

Board of surgeons, November 2, 1910, found pensioned cause.

Medical testimony is that applicant has chronic nephritis and consequent heart trouble; is unable to do manual labor.

Other testimony is that applicant has no money or real estate and no income but his pension and \$6 per month State aid.

An increase to \$30 a month is recommended.

H. R. 24332. James T. Kennedy, aged 67 years, served as a private in Company A, One hundred and seventh Regiment Pennsylvania Infantry, from February 7, 1862, to July 13, 1865 (3 years 5 months), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

Formerly pensioned under act of June 27, 1890, at \$8 for rheumatism and disease of urinary organs, shown on medical examination May 9, 1900, also disease of heart and an enlarged prostate.

Address, No. 322 Spring Street, West Pittston, Pa.

Dr. P. F. Hubler, May 4, 1912, says he suffers from chronic catarrhal bladder trouble and imperfect eyesight—can not be much in sunlight.

Pensioner and two fellow townsmen testify that he is not able to perform manual labor, no income other than his pension, and his possessions amount to household furniture valued at about \$200.

An increase to \$30 a month is recommended.

H. R. 24468. George W. Crider, aged 68 years, served as a private in Company F, One hundred and ninety-sixth Regiment Ohio Volunteer Infantry, from March 6, 1865, to May 29, 1865 (2 months 23 days).

Address, Tupelo, Lee County, Miss.

The applicant is not a pensioner, his application for pension under the act of July 14, 1862, having been rejected.

The board of surgeons, at Crawfordsville, Ind., under date of February 11, 1903, state as follows:

We find the aggregate permanent disability for earning a support by manual labor is due to rheumatism, injury to back, nasopharyngeal catarrh, constipation, and piles, not due to vicious habits and warrants a rate of \$8.

Dr. T. A. Boggan, under date of May 7, 1912, states that the applicant is unable to make a support by manual labor, adding: "He is old and infirm and can not do a day's work at any time."

By the testimony of two neighbors, it is shown that the applicant has no property, real, personal, or mixed.

In view of all the circumstances of this case a rating of \$12 a month is warranted, and such rating is accordingly recommended.

H. R. 24552. John Breeding, aged 74 years, served as a private in Company M, Fourteenth Regiment Kentucky Cavalry, from February 20, 1863, to March 24, 1864 (one year and one month), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

Was formerly pensioned under act of June 27, 1890, at \$12 for disease of respiratory organs, piles, and slight deafness of both ears, as shown by medical examination of February 25, 1891.

Address, Bath, Ky.

Dr. J. W. Duke, May 9, 1912, has treated pensioner for piles, articular rheumatism, heart disease, chronic diarrhea, and partial loss of hearing, which renders him unable to perform manual labor.

Lay testimony shows that soldier has no real or personal property and no means of support or income other than his pension.

Age, service, disability, and destitution warrant a rating of \$30 a month.

H. R. 24555. Edward W. Clough, aged 85 years, served as a private in Company E, Thirteenth Regiment Vermont Volunteer Infantry, from September 8, 1862, to July 21, 1863 (10 months and 13 days), and is now a pensioner under the act of February 6, 1907, at \$20 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of rheumatism, disease of heart and bladder, and senility.

Address, Morrisville, Vt.

Board of surgeons, March 29, 1899, found disease of heart, disease of kidneys, rheumatism, indigestion, injury of right hand, loss of thumb of left hand, and general debility.

Medical testimony is that applicant is permanently disabled by reason of neuritis and rheumatism, enlargement of prostate, with chronic inflammation of the bladder, and arterial sclerosis, with cardiac weakness, due to his advanced age. (The applicant is 85 years old.)

Other testimony is that applicant has a house and a small patch of land in Morrisville, Vt., and no other property.

In view of the applicant's grievous disabilities and advanced age, an increase to \$30 a month is recommended.

H. R. 10500. King A. Bowman, aged 67 years, served as a private in Company I, Ninth Regiment Tennessee Volunteer Cavalry, from August 1, 1863, to September 11, 1865 (2 years 1 month and 10 days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$8 per month by reason of injury to left index finger, disease of feet, and right testicle.

Address, Glasgow, Ky.

Board of surgeons, October 17, 1906, found rheumatism, heart disease, disease of right testicle, and partial deafness.

Medical testimony is that applicant is suffering from frozen feet, his feet get raw on the bottoms and water exudes from them; has injury to left index finger; it appears that he is unable to do manual labor.

The Member introducing the bill states that the applicant has no income but his pension and no property except a few household goods.

An increase to \$30 a month is recommended.

H. R. 13559. Joseph H. Hays, aged 67 years, served as a private in Company A, First Regiment Mississippi Marine Brigade Volunteer Infantry, from January 13, 1863, to September 15, 1863, and in Company K, Eleventh Regiment Kentucky Volunteer Infantry, from October 10, 1861, to January 12, 1863 (total service, 1 year 11 months and 4 days), and is now a pensioner under the act of June 27, 1890, at \$12 per month for disease of throat and lungs and resulting general debility and disease of kidneys.

He was formerly pensioned under the act of July 14, 1862, at \$6 per month by reason of chronic pharyngeal catarrh, result of disease of lungs.

Address, Central City, Ky.

Board of surgeons, May 18, 1910, found nasopharyngeal catarrh and disease of lungs.

Medical testimony is that applicant has nasopharyngeal catarrh and bronchitis; has kidney disease; has fistula of the rectum; is unable to do manual labor.

The applicant's only property is a home worth about \$600. He has no income but his pension.

An increase to \$30 a month is recommended.

H. R. 19681. James G. Begley, aged 71 years, served as a private in Companies D and B, Eighth Regiment Kentucky Volunteer In-

fantry, and in Company A, Fourth Regiment Kentucky Volunteer Infantry, from September 13, 1861, to August 17, 1865 (3 years 11 months and 4 days), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of disease of heart and indigestion.

Address, Gray Hawk, Ky.

Board of surgeons, July 27, 1898, found disease of heart and indigestion.

Medical testimony is that applicant has mitral insufficiency of heart, indigestion, and enlarged prostate; is unable to do manual labor, a part of the time he needs a nurse.

Other evidence is that his sole income is his pension, upon which he depends for a support.

An increase to \$30 a month is recommended.

H. R. 20612. Daniel M. Hager, aged 72 years, served as a sergeant in Company D, Forty-fifth Regiment Kentucky Volunteer Infantry, from August 23, 1863, to December 24, 1864 (1 year 4 months and 1 day), and is now a pensioner under the act of February 6, 1907, at \$15 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$12 per month by reason of disease of heart and senile debility.

Address, Paintsville, Ky.

Board of surgeons, November 9, 1904, found disease of heart, indigestion, impaired vision, and general debility.

Medical testimony is that applicant's mental condition is such that he requires the constant attention of an attendant; is unable to do manual labor.

Other testimony is that applicant owns a home and household effects worth probably \$2,000; he has no income but his pension.

An increase to \$30 a month is recommended.

H. R. 23867. John W. Cook, aged 68 years, served as a private in Company E, Thirteenth Regiment Kentucky Volunteer Cavalry, from August 15, 1863, to January 10, 1865 (1 year 4 months 25 days), and is now a pensioner under the act of February 6, 1907, at \$12 per month on account of age.

He was formerly pensioned under the act of June 27, 1890, at \$10 per month by reason of rheumatism, disease of heart, eczema, and senile debility.

Was formerly pensioned under the act of July 14, 1862, at \$6 per month for disease of respiratory organs.

Address, Somerset, Ky.

Board of surgeons, November 14, 1906, found rheumatism, disease of heart, and eczema.

Medical testimony is that applicant has disease of heart, arteriosclerosis, a marked curvature of the spine, and both lungs are badly involved; has double inguinal hernia and varicocele; has chronic cystitis, with an involvement of the prostate gland; has varicose veins; is unable to do manual labor.

The applicant's only property is his household goods and his only income is his pension.

An increase to \$30 a month is recommended.

H. R. 24584. Mary H. Atkinson, aged 64 years, is the widow of John M. Atkinson, who served as a captain in Company B, Fourteenth Regiment Kentucky Infantry, from November 10, 1861, to September 15, 1865 (3 years 10 months). Soldier was pensioned at \$6, act of June 27, 1890; he died September 19, 1901. He and this applicant were married October 19, 1865.

Under the act of June 27, 1890, she was pensioned at \$8 from October 7, 1901, and at \$12 from April 19, 1908. Of the children she bore to the soldier six still survive.

Dr. F. M. Williams testifies that he is pensioner's family physician, and that owing to her age and infirmities she is totally disabled from earning a support.

Her grocer and other neighbors testify that her only income or support is her pension of \$12 a month.

An increase to \$25 is approved.

Address, Paintsville, Ky.

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62D CONGRESS,
2d Session.

HOUSE OF REPRESENTATIVES

REPORT
No. 737.

CONSIDERATION OF H. R. 24153.

MAY 18, 1912.—Ordered to be printed.

Mr. HENRY, from the Committee on Rules, submitted the following

REPORT.

[To accompany H. Res. 541.]

The Committee on Rules, to whom was referred the resolution providing for the consideration of the bill (H. R. 24153) to amend and reenact section 5241 of the Revised Statutes of the United States, having considered the same, beg to report it back to the House with the recommendation that it be adopted.

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62D CONGRESS,
2d Session.

HOUSE OF REPRESENTATIVES.

REPORT
No. 740.

PRINTING OF 16,000 COPIES OF HEARING ON WOMAN SUFFRAGE.

MAY 18, 1912.—Ordered to be printed.

Mr. FINLEY, from the Committee on Printing, submitted the following

REPORT.

[To accompany H. Res. 532.]

The Committee on Printing, having had under consideration the House resolution (H. Res. 532) providing that 16,000 copies of the hearings before the Committee on the Judiciary, Sixty-second Congress, second session, March 13, 1912, entitled "Woman Suffrage," serial No. 2, be printed for the use of the House document room, reports the same back to the House with the recommendation that the resolution be agreed to.

The estimated cost will be \$466.04.

The said resolution is as follows:

Resolved, That sixteen thousand copies of the hearings before the Committee on the Judiciary, Sixty-second Congress, second session, March thirteenth, nineteen hundred and twelve, entitled "Woman Suffrage," serial number two, be printed for the use of the House document room.

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